

INDEPENDENT SECURITIES (PTY) LTD
Registration number 1998/001650/07
PAIA MANUAL

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

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

Annexure A : Contact Details & Business Type

This section provides the organisation's postal and street address, phone and fax number and, if available, the e-mail address of the head of the organisation

Annexure B : Section 10 PAIA Guide

This section provides a description of the guide referred to in Section 10 of PAIA and how you may obtain access to it

Annexure C : Availability of Records

This section provides a list of records held by the organisation along with an indication of whether the record is freely available or only accessible by way of a formal request in terms of the provisions of PAIA. The section also provides a description of the category of data subject(s) to whom the respective records relate along with an indication of the purpose for which the record is being kept. Records that are indicated as "Freely Available" can be accessed by contacting the Deputy Information Officer (see Annexure A), without having to follow any formal procedures. Records that are indicated as a "PAIA Request", requires the requester to lodge a formal request as provided for in Annexure E

Annexure D : Deputy Information Officer Appointment

This section provides for the formal appointment of a Deputy Information Officer where so required

Annexure E : Request Procedure

This section sets out the procedure required to obtain access to a record indicated as a "PAIA Request" in Annexure D

Annexure F : Prescribed Fees

This section sets out the fees that are payable to the organizations prior to processing a request to obtain access to a record held by an organization

2) DUTIES OF THE INFORMATION OFFICER

The Information Officer and/or the Deputy Information Officer of the organisation are responsible for:

- Publishing and proper communication of the manual i.e. creating policy awareness
- The facilitation of any request for access

- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

Right of Access

The Information Officer and/or Deputy Information Officer may only provide access to any record held by the organisation to a requester if:

- The record is required for the exercise or protection of any right, and
- The requester complies with the procedural requirements relating to a request for access to that record, and
- Access to that record is not refused in terms of any of the grounds for refusal listed below

Grounds for Refusal

The Information Officer and/or Deputy Information Officer must assess whether there are any grounds for refusing a request for access.

Where any grounds for refusal are found, a request for access will not be granted.

However, despite finding any grounds for refusal, access to the record(s) will be provided where:

- the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law or imminent and serious public or environmental risk, and
- the public interest in disclosing record, will clearly outweigh the harm contemplated in the provision in question,.

Where there are no grounds for refusal, request for access will be granted.

If a request for access is made with regards to a record containing information that would justify a ground for refusal, every part of the record which

- does not contain, and
- can reasonably be severed from any part that contains, any such information must, despite any other provision of PAIA, also be disclosed

The grounds for refusal, or absence thereof, are set out below:

A: Mandatory Protection of privacy of a Third Party who is a Natural Person

Grounds for Refusal:

- The disclosure would involve the unreasonable disclosure of personal information about a third party that is a natural person (including a deceased individual)

No Grounds for Refusal:

- The record consists of information that concerns an individual who has already consented in writing to its disclosure to the requester concerned
- The record consists of information that is already publicly available
- The record consists of information that was given to the organisation by the individual to whom it relates and the individual was informed by or on behalf of the organisation, before it is given, that the information belongs to a class of information that would or might be made available to the public
- The record consists of information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interest
- The record consists of information about an individual who is deceased and the requester is the individual's next of kin or making the with the written consent of the individual's next of kin
- The record consists of information about an individual who is or was an official of the organisation and which relates to the position or functions of the individual, including, but not limited to the title, work address, work phone number, the classification, salary scale or remuneration and responsibilities of the position held or services performed by the individual and the name of the individual on a record prepare by the individual in the course of employment

B: Mandatory Protection of Commercial Information of a Third Party

Grounds for Refusal

- The record consists of information that contains trade secrets of a third party
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party
- The record consists of information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or to prejudice that third party in commercial competition

No Grounds for Refusal

- The record consists of information about a third party who has consented who has already consented in writing to its disclosure to the requester concerned
- The record consists of information about the results of any product or environmental testing or other investigation supplied by a third party or the results of any such testing or investigation carried out by or on behalf of a third party and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

C: Mandatory Protection of certain Confidential Information of a Third Party

Grounds for Refusal

- The record consists of information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement

D: Mandatory Protection of Safety of Individuals and Protection of Property

Grounds for Refusal

- The record consists of information that if disclosed could reasonably be expected to endanger the life or physical safety of an individual
- The record consists of information that if disclosed would likely prejudice or impair the security of a building, a structure or system, a computer or communication system, a means of transport, any other property
- The record consists of information that if disclosed would likely prejudice or impair the security of methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme, the safety of the public, or any part of the public, or the security of property

E: Mandatory Protection of Records privileged from Production in Legal Proceedings

Grounds for Refusal

- The record consists of information privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege

F: Commercial Information of the Organisation

Grounds for Refusal

- The record consists of information that contains trade secrets of the organisation
- The record consists of information that contains financial, commercial, scientific or technical information, other than trade secrets, of the organisation, the disclosure of which would likely cause harm to the commercial or financial interests of the organisation
- The record consists of information, the disclosure of which, could reasonably be expected to put the organisation at a disadvantage in contractual or other negotiations or prejudice the organisation in commercial competition
- The record is a computer program as defined in section 1(1) of the Copyright Act (Act 98 of 1978), owned by the organisation, except insofar as it is required to give access to a record to which access is granted in terms of PAIA

No Grounds for Refusal

- The record consists of information about the results of any product or environmental testing or other investigation supplied by the organisation or the results of any such testing or investigation carried out by or on behalf of the organisation and its disclosure would reveal a serious public safety or environmental risk (the results of any product or environmental testing or other investigation do not include the results of preliminary testing or other investigation conducted for the purpose of developing methods of testing or other investigation)

G: Mandatory Protection of Research Information of a Third Party and the Organisation

Grounds for Refusal

- The record consists of information that contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research to serious disadvantage
- The record consists of information that contains information about research being or to be carried out by or on behalf of the organisation, the disclosure of which would be likely to expose the organisation, a person that is or will be carrying out the research on behalf of the organisation, or the subject matter of the research to serious disadvantage

Notice

Where a request for access has been received the Information Officer and/or Deputy Information Officer will notify the requester of receipt and the prescribed fee (if any) that is payable prior to processing the request. Please refer to Annexure F for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

The notice must state:

- The amount of the deposit payable (if any)
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the tender or payment of the request fee, or the tender or payment of a deposit, as the case may be
- The procedure (including the period) for lodging the complaint with the Information Regulator or the application

Except to the extent that the provisions regarding third party notification may apply, the Information Officer and/or Deputy Information Officer to whom the request is made, must as soon as reasonably possible, but in any event within 30 days, after the request has been received in the prescribed format:

- Decide in accordance with PAIA whether to grant the request, and
- Notify the requester of the decision and, if the requester stated that he or she wishes to be informed of the decision in any other manner, inform him or her in that manner, if it is reasonably possible

If the request for access is granted, the notice must state:

- The access fee (if any) to be paid upon access
- The form in which access will be given, and
- That the requester may lodge a complaint with the Information Regulator or an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging a complaint with the Information Regulator or the application

If the request for access is refused, the notice must:

- State adequate reasons for the refusal, including the relevant provision of PAIA that was relied on
- Exclude, from any such reasons, any reference to the content of the records' and
- State that the requester may lodge a complaint with the Information Regulator or an application with a court against the refusal of the request, and the procedure (including the period) for lodging a complaint with the Information Regulator or the application

Should all reasonable steps have been taken to find a record requested, and there are reasonable grounds for believing that the record:

- Is in the organisation's possession, but cannot be found, or
- Simply does not exist,

the head of the organisation must, by way of affidavit or affirmation, notify the requester that it is not possible to provide access to that record. The affidavit or affirmation must provide full account of all steps taken to find the record in question or to determine whether the record exists, as the case may be, including all communication with every person who conducted the search on behalf of the head.

ANNEXURE A : CONTACT DETAILS & BUSINESS TYPE

A. Organisation Contact Details

Postal address:	Po Box 2849, Houghton, 2041
Street address:	3 West Street, Houghton, 2198
Phone number:	011-489-5400
Fax number:	011-489-5499

B. Head of Organisation

Full names & surname:	Simon Fillmore
Email address:	jhb@isec.co.za

C. Deputy Information Officer

Full names & surname	Martin Kriek
Email address:	compliance@isec.co.za
Phone number:	011-489-5415

D. Business Type

The organisation conducts its main type of business in the following sector(s):	
Financial	<input checked="" type="checkbox"/>

ANNEXURE B : SECTION 10 PAIA GUIDE

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. Where a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures at the rates provided.

Requesters are referred to the guide in terms of section 10 of the Act which has been compiled by the South African Human Rights Commission. The guide contains information for the purposes of exercising Constitutional rights.

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**

ANNEXURE C : AVAILABILITY OF RECORDS

The organisation maintains the following categories of records and related subject matter. The status of the record's availability, the purpose for its processing and the relevant data subject category to who the record relates are set out below:

Category:	Record:	Availability:	Purpose:	Data Subject:
Regulatory & Administrative	Permits, Licenses or Authorities	Freely Available	Statutory Requirement	Organisation
	Conflict of Interest Management Policy	Freely Available	Statutory Requirement	Organisation
	Complaints Policy	Freely Available	Statutory Requirement	Organisation
	FICA Internal Rules	PAIA Request	Statutory Requirement	Organisation
	Memorandum of Incorporation	PAIA Request	Statutory Requirement	Organisation
	Insurance Policies held by organization	PAIA Request	Risk Management	Organisation
	Register of Members	PAIA Request	Statutory Requirement	Organisation
	Register of Board of Directors	PAIA Request	Statutory Requirement	Organisation
Company Information	Operational Records	PAIA Request	Internal Referencing	Organisation
	Databases	PAIA Request	Contractual Agreement	Organisation
	Information Technology	PAIA Request	Internal Referencing	Organisation
	Marketing Records	PAIA Request	Statutory Requirement	Organisation
	Products Records	PAIA Request	Statutory Requirement	Organisation
	Statutory Records	PAIA Request	Statutory Requirement	Organisation
	Internal Policies and procedures	PAIA Request	Statutory Requirement	Organisation
	Compliance Records	PAIA Request	Statutory Requirement	Organisation
	Securities and Equities	PAIA Request	Internal Referencing	Organisation
	Board Members	PAIA Request	Internal Referencing	Organisation
	Incorporation documents	PAIA Request	Statutory Requirement	Organisation
	Seta Records	PAIA Request	Statutory Requirement	Organisation
Financial	Financial Statements	PAIA Request	Internal Referencing	Organisation
	Financial and Tax Records	PAIA Request	Statutory Requirement	Organisation
	Invoices	PAIA Request	Internal Referencing	Organisation
	Management Accounts and Reports	PAIA Request	Internal Referencing	Organisation
	Receipts	PAIA Request	Internal Referencing	Organisation
	Brokerage notes on transactions in shares	PAIA Request	Statutory Requirement	Organisation
Human Resources	Employment Contracts	PAIA Request	Contractual Agreement	Employees
	Personal Information of Employees	PAIA Request	Internal Referencing	Employees
	Medical Aid Records	PAIA Request	Internal Referencing	Employees
	Pension Funds Records	PAIA Request	Internal Referencing	Employees
	PAYE Records	PAIA Request	Statutory Requirement	Employees
	Leave Records	PAIA Request	Internal Referencing	Employees
	Employee Benefits Records	PAIA Request	Internal Referencing	Employees
Client Customer	Customer / Client Database	PAIA Request	Internal Referencing	Customers
	Customer / Client agreements	PAIA Request	Internal Referencing	Customers

	Customer / Client Files	PAIA Request	Internal Referencing	Customers
	Customer / Client Instructions	PAIA Request	Internal Communications	Customers
	Customer / Client Correspondence	PAIA Request	External Communications	Customers
Third Party	Rental agreements	PAIA Request	Contractual Agreement	Third Party
	Non-disclosure agreements	PAIA Request	Risk Management	Third Party
	Supplier Contracts	PAIA Request	Contractual Agreement	Third Party

ANNEXURE D : DEPUTY INFORMATION OFFICER APPOINTMENT

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body. The Information Officer may delegate any power or duty conferred or imposed in terms of POPI to the Deputy Information Officer.

The organisation has appointed a Deputy Information Officer to facilitate any requests to access records held by the organisation. This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.

The Deputy Information Officer need not have any specific qualifications but must have a thorough knowledge of the organisation's functional departments and business processes.

The Deputy Information Officer has the authority to approach all staff members of the organisation and to request all records held by the organisation. Where a manager is of the opinion that access to a record should not be granted to the Deputy Information Officer, reasons for this decision shall be given to the Information Officer who will make a final decision on the matter.

Together with the Information Officer, the Deputy Information Officer is responsible for:

- Publishing and proper communication of the manual i.e. creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments

ANNEXURE E : REQUEST PROCEDURE

To facilitate the processing of your request, kindly complete and submit the form below to the e-mail address of the Deputy Information Officer indicated in Annexure A.

The Deputy Information Officer will notify the requester that a request for access has been received and that the prescribed fee (if any) is payable prior to processing the request. Please refer to Annexure F for a full breakdown of fees payable. Personal requesters will not be charged a request fee.

Once the request has been processed, the Deputy Information Officer will inform you of the outcome of your request and any additional fees that may fall due.

Please be advised that PAIA provides a number of grounds on which a request for access to information must be refused. These grounds mainly comprise 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
- the mandatory protection of certain confidential information of a third party

When completing the form below please:

- indicate the identity of the person seeking access to the information
- provide sufficient particulars to enable the deputy 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

A. Particulars of Private Body	
The Head:	
B. Particulars of person requesting access to the record	
(i) The particulars of the person who requests access to the record must be recorded below	
(ii) Furnish an address and/or fax number in the Republic to which information must be sent	
(iii) Proof of the capacity in which the request is made, if applicable, must be attached	
Full names & surname:	
Identity number:	
Postal address:	
Fax number:	

Telephone number:	
Email address:	
Capacity:	
C. Particulars of person on whose behalf request is made	
This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person	
Full names & surname:	
Identity number:	
D. Particulars of Record	
(i) Provide full particulars of the record to which access is requested, including the reference number if that is known to you	
(ii) If the provided space is inadequate, please continue on a separate page and attach to this form. Please sign any additional pages	
Description of record:	
Reference number:	
Any further particulars:	
E. Fees	
(i) 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	
(ii) You will be notified of the amount required to be paid as the request fee	
(iii) 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	
(iv) If you qualify for exemption of the payment of any fee, please state the reason therefor	
Reason for exemption:	
F. 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 hereunder, please state your disability and indicate in which form the record is required	
Disability:	
Form in which required:	
Mark the appropriate box with an "X"	
(i) Your indication as to the required form of access depends on the form in which the record is available	
(ii) Access in the form requested may be refused in certain circumstances, In such a case you will be informed of access will be granted in another form	
(iii) The fee payable for access to 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	

<ul style="list-style-type: none"> ▪ inspection of record 	
2) If record consists of visual images:	
<ul style="list-style-type: none"> ▪ view the images 	
<ul style="list-style-type: none"> ▪ copy of the images 	
<ul style="list-style-type: none"> ▪ transcription of the images 	
3) If the record consists of recorded words or information which can be reproduced in sound:	
<ul style="list-style-type: none"> ▪ listen to the soundtrack 	
<ul style="list-style-type: none"> ▪ transcription of the soundtrack 	
4) If the record is held on computer or in an electronic or machine-readable form:	
<ul style="list-style-type: none"> ▪ printed copy of record 	
<ul style="list-style-type: none"> ▪ copy in computer readable form 	
Please indicate the preferred method of delivery	
<ul style="list-style-type: none"> ▪ By hand 	
<ul style="list-style-type: none"> ▪ Email 	
<ul style="list-style-type: none"> ▪ Post 	
<ul style="list-style-type: none"> ▪ Fax 	
G. Particulars of right to be exercised or protected	
If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all additional folios.	
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:	
H. Notice of decision regarding the request for access	
You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof 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?	
I. Signature page	
Signed at:	
Date:	
Signature of Requester / Person on whose behalf request is made:	

ANNEXURE F : PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requester is required to pay a preliminary request fee before a request will be processed
- If the preparation of the record requested requires more than the prescribed hours (six), an additional deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted)
- A requestor may lodge an application with a court against the render / payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid
- The fee structure is also available on the South African Human Rights Commission's website at www.sahrc.org.za

No.	Description	Fee
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c), for every photocopy of an A4-size page or part thereof	R1.10
2.	The fees for reproduction referred to in regulation 11(1) are as follows:	-
	a) For every photocopy of an A4 size page or part thereof	R1.10
	b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
	c) For a copy in a computer-readable form on stiffy disc	R7.50
	d) For a copy in a computer-readable form on compact disc	R70.00
	e) For a transcription of visual images, for an A4 size page or part thereof	R40.00
	f) For a copy of a visual image	R60.00
	g) For a transcription of an audio record	R20.00
	h) For a copy of an audio record	R30.00
3.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R50.00
4.	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(3):	-
	a) For every photocopy of an A4 size page or part thereof	R1.10
	b) For a printed copy of an A4 size page or part thereof held on a computer or in electronic readable form	R0.75
	c) For a copy in a computer readable form on stiffy disc	R7.50
	d) For a copy in a computer readable form on compact disc	R70.00
	e) For a transcription of visual images, for an A4 size page or part thereof	R40.00
	f) For a copy of a visual image	R60.00
	g) For a transcription of an audio record, for A4 size page or part thereof	R20.00
	h) For a copy of an audio record	R30.00
5.	The actual postage fee is payable when a copy of a record must be posted to a requester	-
6.	For purposed of section 54(2) of the Act, the following applies:	-
	a) Six hours as the hours to be exceeded before a deposit is payable	-
	b) One third of the access fee is payable as a deposit by the requester	-