

**PROMOTION OF ACCESS TO INFORMATION ACT  
(PAIA)**

**(ACT 2 OF 2000)**

**SECTION 51 MANUAL**

FSP Name	PRIVATEADVISOR (Pty) Ltd
FSP Number	45429
Last Review Date	October 2020
Frequency of Review	Annually
Next Review Date	October 2021
Responsible Person	Wynand du Toit

## INTRODUCTION

PRIVATEADVISOR (Pty) Ltd, is an authorised financial services provider that provides financial advice and renders intermediary services to clients on financial products under a license issued in terms of the Financial Advisory and Intermediary Services Act, Act 37 of 2002.

## PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

### Contact details

Name of business	PRIVATEADVISOR (Pty) Ltd
Designated contact person	Wynand du Toit
Physical address	20 St Cloud Estate, Hyperion Drive, North Riding
Postal address	PO Box, 679, Banbury, 2164
Telephone number	010 591 0555
E-mail address	wynand@privateadvisor.co.za

## 2. The section 10 Guide on how to use the Act

This guide is available in hard copy from the South African Human Rights Commission or can be accessed on their website. The details are as follows:

	The South African Human Rights Commission – PAIA Unit
	The Research and Documentation Department
Postal address	Private Bag 2700 Houghton 2041
Telephone number	011 877 3600
Fax number	011 403 0625
E-mail address	<a href="mailto:paia@sahrc.org.za">paia@sahrc.org.za</a> <a href="mailto:lidlamini@sahrc.org.za">lidlamini@sahrc.org.za</a>
Website	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

## 2. Records available in terms of any other legislation

Basic Conditions of Employment Act No. 75 of 1997

Collective Investments Schemes Control Act No. 45 of 2002

Companies Act No. 71 of 2008

Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993

Consumer Protection Act No. 68 of 2008

Employment Equity Act No.55 of 1998  
 Financial Advisory and Intermediary Services Act No. 37 of 2002  
 Financial Intelligence Centre Act No. 38 of 2001  
 Financial Institutions (Protection of Funds) Act No. 28 of 2001  
 Financial Services Board Act No. 97 of 1990  
 Financial Services Ombud Schemes Act No. 37 of 2004  
 Friendly Societies Act No. 25 of 1956  
 Income Tax Act No. 58 of 1962  
 Insurance Laws Amendment Act No. 27 of 2008  
 Labour Relations Act No. 66 of 1995  
 Long-term Insurance Act No. 52 of 1998  
 Medical Schemes Act No. 131 of 1998  
 Occupational Health and Safety Act No. 85 of 1993  
 Pension Funds Act No. 24 of 1956  
 Prevention of Organised Crime Act No. 121 of 1998  
 Protection of Constitutional Democracy against Terrorist and Related Activities Act No. 33 of 2004  
 Security Services Act No. 36 of 2004  
 Short Term Insurance Act No. 53 of 1998  
 Skills Development Act No.97 of 1998  
 Skills Development Act No.97 of 1998  
 Unemployment Contributions Act No. 4 of 2002  
 Unemployment Insurance Act No. 63 of 2001  
 Value Added Tax Act No. 89 of 1991

**4. Access to the records held by the private body**

- The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of section 52 (2) of this Act, and at no cost:

Brochures; Pamphlets; Documents related to business activities
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- Records which may be requested in terms of this Act:

<p>Administration:</p> <ul style="list-style-type: none"> <li>○ Licence of product categories</li> <li>○ Minutes of management meetings</li> <li>○ Minutes of staff meetings</li> <li>○ Correspondence</li> </ul>
<p>Human resources:</p> <ul style="list-style-type: none"> <li>○ Employment contracts</li> </ul>

- Mandates
- Policies and procedures
- Training
- Remuneration and benefits policies, and records thereof

**Operations:**

- Production records
- Compliance manual – FAIS
- Compliance reports
- Complaints procedures
- Contractual agreements with suppliers
- Procedures manual - FICA
- Records of advice
- Register of key individuals
- Register of representatives
- Register of non-compliance
- Record of continued compliance by representatives
- Register of premature cancellation of products
- Clients register

**Finances:**

- Accounting and audit records
- Financial statements
- Assets inventory

- The request procedures:

**Form of request: (ANNEXURE A)**

**Form of request – Annexure A:**

- The requester must use the prescribed form to request access to a record. This must be made to the head of the private body. This request must be made to the address or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requestor should also indicate which form of access is required. The requestor should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

**Fees payable for request – Annexure B:**

- A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:
- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

**5. Other information as may be prescribed**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

**5. Availability of the PAIA manual**

The manual is available for inspection at the offices of the relevant private body free of charge.

Copies are also available with the SAHRC and on the private body's website (if any).

**Annexure A - Request For Access to Record of Privateadvisor (Pty) Ltd**

**Privateadvisor (Pty) Ltd – FSP 45429**

**Particulars of the person requesting access to the record**

<p>Instructions:</p> <ul style="list-style-type: none"> <li>○ The particulars of the person who requests access to the record must be given below.</li> <li>○ The address and/or fax number in the Republic to which the information is to be sent must be given.</li> <li>○ Proof of the capacity in which the request is made, if applicable, must be attached.</li> </ul>	
Full name and surname	
Identity number	
Postal address	
Telephone number	
Fax number	
E-mail address	
Capacity in which request is made, when made on behalf of another person	

**Particulars of the person on whose behalf request is made**

<p>Instructions:</p> <p>This section must be completed ONLY if a request for information is made on behalf of another person.</p>	
Full name and surname	
Identity number	

**Particulars of record**

<p>Instructions:</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ If the provided space is inadequate, please continue on a separate folio and attach it to this form. <b>The requester must sign all the additional folios.</b></li> </ul>
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Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	

### Fees

<p>Instructions:</p> <ul style="list-style-type: none"> <li>○ A request for access to a record, other than records containing personal information about you, will be processed only after a <b>request fee</b> has been paid.</li> <li>○ You will be notified of the amount required to be paid as the request fee.</li> <li>○ The <b>fee payable for access</b> to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</li> <li>○ If you qualify for exemption of the payment of any fee, please state the reason for exemption.</li> </ul>	
Reason for exemption from payment of fees	

### Form of access to record

<p>Instructions:</p> <ul style="list-style-type: none"> <li>○ 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.</li> </ul>	
Disability	
Form in which record is required	

<p>Instructions:</p> <ul style="list-style-type: none"> <li>○ Mark the appropriate box with an <b>X</b></li> <li>○ Compliance with your request in the specified form may depend on the form in which the record is available.</li> <li>○ 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.</li> </ul>
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**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?

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Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

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Full Name of Requester

Person on whose behalf the request is made

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Signature of Requester

Person on whose behalf the request is made

**Annexure B – Fees in respect of private bodies**

<b>1. Fee payable to PRIVATEADVISOR (PTY) LTD by a requester</b>	R50.00
<b>2. The reproduction fees referred to in regulation 11(1) are as follows:</b>	
A) Photocopies/printed pages: the fee of a photocopy of the manual for every A4 size page or part thereof	R1.10
B) For every photocopy of an A4-size page or part thereof	R1.10
C) 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
D) Electronically store or machine-readable formats example: compact disc	R70.00
E) For a transcription of visual images, A4 size or part thereof	R40.00
F) Copies of visual images	R60.00
G) For transcription of an audio record, A4 size or part thereof	R60.00
H) Reproduction of audio records	R30.00
<b>3. The reproduction fees referred to in regulation 11(3) are as follows:</b>	
A) Photocopies/printed pages: the fee of a photocopy of the manual for every A4 size page or part thereof	R1.10
B) For every photocopy of an A4-size page or part thereof	R1.10
C) 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
D) Electronically store or machine-readable formats example: compact disc	R70.00
E) For a transcription of visual images, A4 size or part thereof	R40.00
F) Copies of visual images	R60.00
G) For transcription of an audio record, A4 size or part thereof	R60.00
H) Reproduction of audio records	R30.00
<b>4. For purposes of section 54(2) of the Act, the following applies:</b>	
A) Six hours as the hours to be exceeded before a deposit is payable	R30.00
B) One-third of the access fee is payable as a deposit by the requester	
<b>5. Postage is payable when a copy of a record must be posted to a requester</b>	