



Policy

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PAIA_POPIA MANUAL

Company Registration no: 2020/058994/07

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(hereinafter referred to as the Financial Services Provider)

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1. Introduction

- 1.1 This manual is published pursuant to sections 14 and 51 of PAIA which was promulgated in order to nurture an ethos which promotes transparency, accountability and effective governance for all private and public bodies.

Promotion of Access to Information Manual ("PAIA") provides an outline of the type of records and the personal it holds and explain how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (the Act).

- 1.2 Section 9(b) of the Act recognizes that there are limits to the information people or organizations can request. These justifiable limits include the following, but there could be other cases where information can't be shared:
- Limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient good governance; and
 - Limits that balance the right to access to information with any other rights, including rights in the Bill of Rights in Chapter 2 of the Constitution applicable to each jurisdiction.

To balance these rights, the organization will evaluate all requests for access to information individually and in line with the Act. You can request a copy of this manual by emailing our Information Officer at info@lebohangmodimobrokersa.co.za.

2. Purpose of the Manual

- 2.1 The purpose of the Manual is to ensure that Lebohang Modimo Brokers (Pty) Ltd complies with and fosters a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to effectively promote a society in which the people have effective access to information to enable them to exercise and protect their rights.
- 2.2 In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the requests for access to information which may be received in order for them to exercise their rights in relation to public and private bodies.
- 2.3 The Manual in line with Section 51 of the Act with the intention of:
- Providing a description of the records held by Lebohang Modimo Brokers (Pty) Ltd;
 - Setting out why we can refuse to give you access to any records; and
 - Outlining the procedure and the associated fees when requesting access to records

3. Request to access information

- 3.1 When a request is made in terms of access to any information, the body to whom the request is made is obliged to release information, subject to Lebohang Modimo Brokers (Pty) Ltd policies and applicable legislative and/or regulatory requirements applicable to that of the organization.
- 3.2 Lebohang Modimo Brokers (Pty) Ltd Information Officer, Ms. Liza Mahlubi will deal with all requests relating to the organization. All requests of this Manual should be directed to:

Contact Details

Business Address:

256 Ndau Street
Kanana Park
Wiellers Farm
Lenasia
1827

Email address: liza@lebohangmodimobrokersa.co.za

Alternative email: info@lebohangmodimobrokersa.co.za

Postal Address:

Sunstone Road
Stonearch Estate, Unit 105 – Village 6
Castlevue
Germiston
1401

4. Records available in terms of other legislation

Records Available in Terms of any Other Legislation

All records kept and made available in terms of legislation applicable to the organization in this Manual, as it applies to the specific environment in which the organization operate, are available in accordance with the said legislation.

Legislation includes the following:

- The Constitution of the Republic of South Africa, 1996
- Companies Act, 71 of 2008
- Income Tax Act, 58 of 1962
- Protection of Personal Information Act, 4 of 2013
- Basic Conditions of Employment Act, 75 of 1997
- Occupational Health and Safety Act, 85 of 1993
- Employment Equity Act, 55 of 1998
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Unemployment Insurance Act, 30 of 1966
- Electronic Communications and Transactions Act, 25 of 2002
- Regulation of Interception of Communications and Provision of Communication-Related Information Act, 70 of 2002

4.1 Records Available without Requesting Access in Terms of the Act

A private body may, on a voluntary and periodic basis, submit to the Minister of Justice a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by way of a notice in the Gazette

4.2 Records Available on Request

Set out below are the subjects and categories of records that are available for the purposes of the Act, subject to grounds for refusal to the access thereof. Records are maintained on the following subjects:

- Personnel records
- Client related records
- Private body records
- Records in the possession of or pertaining to other parties

4.2.1 Personnel records

“Personnel” refers to any person who works for or provides services to or on behalf of the organization, and receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors (executive and non-executive), all permanent, temporary, and part-time staff, as well as contract workers.

Personal records include the following:

- Personal records that personnel provide;
- Records provided by a third party to the private body relating to their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records and other internal records; and
- Internal evaluation records and other internal records;
- Letters and documents relating to personnel; and
- Training schedules and materials

4.2.2 Client related records

A “client” refers to any natural or juristic entity that receives services from the private body;

Client records include the following:

- Records provided by the client to a third party acting for or on behalf of the private body;
- Records provided by a third party to the private body;
- Records generated by or within the private body pertaining to the client including transactional records; and
- Records of Lebohang Modimo Brokers (Pty) Ltd.

These records include, but are not limited to, the records which pertain to the organization’s own affairs:

- Financial records;
- Operational records;
- Databases;
- Information Technology;
- Marketing records;
- Internal correspondence;
- Records relating to products and services;
- Statutory records;
- Internal Policies and Procedures; and
- Records held by officials of the private body.

4.2.3 Records in the possession of or pertaining to other parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, service providers and joint ventures . In addition, such other parties may possess records, which can be said to belong to Lebohang Modimo Brokers (Pty) Ltd.

- Personnel, customer or Lebohang Modimo Brokers (Pty) Ltd records which are held by another party as opposed to being held by Lebohang Modimo Brokers (Pty) Ltd.; and
- Records held by Lebohang Modimo Brokers (Pty) Ltd. pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

5. Processing of personal information

Purpose of Processing

The organization will use the Personal Information under their care in the following ways:

- Performing business operations
- Staff administration
- Keeping of accounts and records
- Complying with tax laws

Lebohang Modimo Brokers may possess records pertaining to contractors, joint venture companies, service providers, staff and clients.

Data Subject	Type of Personal Information Held
Clients: Natural Persons	Full names, contact details, physical and postal addresses, date of birth, ID number, Tax related information, nationality, gender, correspondence of a private/confidential nature
Service Providers	Full name and Registration number of the entity, Physical and Postal addresses, Contact Details, Financial Information, VAT number
Employees	Full names; contact details, physical and postal addresses, date of birth, ID number, Tax related information, nationality, gender, correspondence of a private/confidential nature, Gender, Pregnancy, Marital Status, Race, Age, Language, Education information, Financial Information, Employment History, ID number, Physical and Postal address, Contact details, Opinions, Criminal behaviour, Well-being

6. The recipients or categories of recipients to whom the personal information may be supplied

Lebohang Modimo Brokers (Pty) Ltd may supply the Personal Information under their care to service providers who render the following services to Lebohang Modimo Brokers (Pty) Ltd:

- Cloud-based services such as data storage, network, email and security services;
- Cloud-based applications such as Human Resource or Marketing solutions;
- Third-party organizations providing legal services;
- Third-party organizations engaged for common commercial purpose, such as service provision, joint ventures, or collective bid responses;
- Any court, administrative or judicial forum, arbitration or statutory commission, or ombudsman making a request for data or discovery in terms of the relevant rules;
- Credit reference entities, used in the normal course of business; and
- Government organizations such as South African Revenue Services, as required for legal purposes.
- Auditing and accounting bodies (internal and external);
- Anyone making a successful application for access in terms of PAIA.

7. Access to records that Lebohang Modimo Brokers (Pty) Ltd holds

You can only request access to Lebohang Modimo Brokers (Pty) Ltd records if you meet certain requirements. There are two types of requesters:

Personal requester:

A 'personal requester' is a requester who wants access to a record containing personal information about themselves. At Lebohang Modimo Brokers (Pty) Ltd will willingly provide the requested information or give access to any record about the requester's personal information. We'll charge a set fee for making a copy of this information.

Other requester:

This requester (other than a personal requester) can request access to information about third parties. However, Lebohang Modimo Brokers (Pty) Ltd does not have to grant access without a valid legal reason for doing so. The requester must meet the procedural requirements for access in terms of the Act, including paying a request and access fee.

8. Review of the Manual

The organization will review the Manual annually.