



Procedure

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Request to access information

Company Registration no: 2020/058994/07

FSP : 51563

(hereinafter referred to as the Financial Services Provider)

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1. Request to access information

- 1.1 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.
- 1.2 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

2. Procedure to request access to information

If you want to obtain access to any of the records listed in this manual, you should follow the procedure as set out below, and a non-refundable request fee which might be applicable depending on the required information.

- Fill in the application form contained in this manual and send it to us via hand delivery, postal service, or email. Hand in your completed application form, and a non-refundable request fee at our office.
- If you are an employee or ex-employee requesting access to your personnel record, then you do not have to pay the request fee.
- The organization will process the request within 30 days unless the requester has given us special reasons for needing the information sooner and our Information Officer agrees to give the information sooner.
- We'll use our digital channels to inform the requester if we grant or deny access. If the requester needs to receive the reasons for our decision through any other channel (such as post), they must tell us how they would like to receive the information and include the necessary contact details.
- If a request is on behalf of another person, then the person requesting access to the information must give us proof that they are acting on behalf of another person and tell us why they are acting on their behalf (in which capacity) to the reasonable satisfaction of the Information Officer.
- We can only process requests for records that exist when we receive the request. Also, these requested records must be in Lebohang Modimo Brokers (Pty) Ltd.'s possession or under our control for us to provide them. If this is not the case, requests must be made to the person or organization who currently holds or controls the record.
- If an individual can't complete the prescribed form because of illiteracy or disability, they may make the request orally. The requester must pay the prescribed fee before we can go any further with the request process.

2.1 Our Response

We will consider your request and let you know our decision, in writing, not more than 30 days after we receive your request.

Our response will be one of the following:

- Your application does not contain enough information to enable us to search for the record you want. Please provide additional details.
- It is going to take us more than six hours to search through our records, and before we do so you must pay us a deposit of R60.00 (plus VAT).
- We have found the record you're looking for, and you may have access to it, on payment of an access fee of R30.00 (+ VAT) per hour for the time that it took us to find the record (less any deposit which you have already paid), and a reproduction fee for making photocopies or printouts or copying the record onto a stiffy disc or CD - the prescribed fees are set out in this manual.

- If your request is for access to your Personal Information in terms of Section 23 of the Protection of Personal Information Act, we will give you a written estimate of the fee before providing the access. We may require you to pay a deposit for all or part of the fee.
- You may not have access to the record you want, for reasons which we will state in our reply. If you have paid a deposit, we will refund it (but not the request fee).
- If we have searched for the record and cannot find it, we will give you an affidavit explaining what steps we took to try and find the record. Should the missing record later come to light, we will notify you.
- If we may or must refuse to give you access to part of the requested Personal Information, we will give you access to every other part.

2.2 Your Right of Access to Information

Both the Promotion of Access to Information Act and the Protection of Personal Information Act entitle you to have access to our records, if:

- you need access to exercise or protect any of your rights, and
- you apply for access according to the procedure set out in this manual, and
- the organization do not have grounds for refusing you access.

Lebohang Modimo Brokers (Pty) Ltd will, within 30 days of receiving the request, decide whether to grant or decline the request and give notice with reasons (if necessary).

2.3 Our Rights to Refuse Access to Information

We have the right to refuse to give you access to our records if any of the following grounds apply:

- the record would unreasonably disclose Personal Information about a natural person, including a deceased individual (unless that third party or a representative of the deceased gives written permission for access);
- contains trade secrets of the private body;
- the record contains financial, commercial, scientific or technical information, other than trade secrets of the private body or (b) information about research by a third party, which could put that third party at a disadvantage in a negotiation or prejudice him in competition (unless that third party gives written permission for access);
- access would put us in breach of a duty of confidence which we owe to a third party (unless that third party gives written permission for access);
- Is a computer program, as defined in section 1(1) of the Copyright Act 98 of 1978 as amended, owned by the private body, except when necessary to give access to a record to which access is granted in terms of this Act.
- access could reasonably be expected to (a) endanger someone's life or physical safety, or (b) prejudice or impair the security of a building, structure, system, means of transport or other property;
- the record is privileged from being produced as evidence in legal proceedings (unless the person protected by the privilege has waived that protection); or
- if the request is for access to your Personal Information, and you could not provide adequate proof of identity to us

We may refuse a request for access to records that are made jokingly or upsetting or which involve an unreasonable diversion of resources.

3. Remedies available when Lebohang Modimo Brokers (Pty) Ltd refuses a request for information

The decision made by the Information Officer is final.

A requester or a third party who is not satisfied with the Information Officer's refusal to disclose information, may within 30 days of being notified of the decision, apply to the Constitutional Court, the High Court or another court of similar status for relief.

Fees:

The Act provides for two types of fees, namely:

- A request fee, which is a standard fee; and
- An access fee, which we calculate by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When the Information Officer receives the request, they will inform the requester, to pay the prescribed request fee (if any), before processing the request further

- The Information Officer withholds the records until the requester has paid the necessary fees.
- A requester who we grant the request to access a record, must pay an access fee for reproduction, for search and preparation, and for any time reasonably necessary that is more than the prescribed hours to search for and prepare the record for disclosure – including making arrangements to make it available in the requested form.
- If the requester pays a deposit for a request for access that we refuse, then the Information Officer will refund the deposit to the requester.

Annexure A: Request to access information form



256 Ndau Street
 Kanana Park
 Wiellers Farm
 Lenasia, 1827

Company Registration: 2020/058994/07
 An authorized Financial Service Provider: Licence No. 51563

email address: admin@lebohangmodimobrokersa.co.za
 website: www.lebohangmodimobrokersa.co.za

A. Particulars of Information Officer

Ms Liza Mahlubi

Postal Address: Lebohang Modimo Brokers (Pty) Ltd
 Sunstone Road
 Stonearch Estate, Unit 105 Village 6
 Castlevue – Germiston
 1401

Email address: liza@lebohangmodimobrokersa.co.za

B. Particulars of person requesting access to the record

- The particulars of the person who requested access to the record must be given below.
- The address and/or fax number in the Republic to which the information is to be sent must be given.
- Proof of the capacity in which the request is made, if applicable, must be attached

Surname:	
First names:	
Identity number:	
Postal address:	
Contact Number:	
Email Address:	
Capacity in which request is made, when made on behalf of another person:	

C. Particulars of person on whose behalf request is made (This section must be completed only if a request for information is made on behalf of another person)

First Names and Surname:	
Identity Number:	

D. Particulars of record

- 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.
- If the provided space is inadequate, please continue on a separate page and attach it to this form

The requestor must sign all the additional folios.

Description of record or relevant part of the record:	
Reference number, if available:	
Any further particulars of record:	

E. Fees

- 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.
- You will be notified of the amount required to be paid as the request fee.
- 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.
- If you qualify for exemption of the payment of any fees, please state the reason for exemption.

F. Form of access to record

If you have a disability and can't access the record by reading, viewing or listening to it, state the disability and indicate how you would like to receive the record:	
Disability	
Form to receive the record	

Notes:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access for the record, if any, will be determined partly by the form in which access is requested

Mark the appropriate box with an (X)

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record	<input type="checkbox"/>	inspection of record
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	View the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<input type="checkbox"/> Yes <input type="checkbox"/> No

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 the additional folios.***

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. 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?

Signed at _____ this _____ day of _____ 20____

Signature of requestor/person on whose behalf request is made

Signature: _____

First Name and Surname: _____

Identity Number: _____

Contact Number: _____

For internal use only

Reference Number	
Request fee (if any)	R
Deposit fee (if any)	R
Access fee	R
Signature of information Officer	

Annexure B: The applicable access fees are:

Type of record Fees

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: Every photocopy of an A4 page	R1.10
	Every printed copy of an A4 page from a computer or in electronic or computer-readable form	R0.75
	For a copy in a computer-readable form on: (i) Stiffy disc (ii) Compact disc (iii) A transcript of visual images for an A4 page (iv) A copy of visual images (v) A transcript of an audio record for A4 page (vi) For a copy of an audio record	
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R50.00
4	The access fees payable by a requester referred to regulation 11(3) are as follows	
4.1	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 or machine-readable form	R0.75
	c. For a copy in a computer readable form on: (i) Stiffy disc	R7.50
	(ii) Compact disc	R70.00
	(iii) A transcript of visual images for an A4 page	R40.00
	(iv) A copy of visual images	R60.00
	(v) A transcript of an audio record for A4 page	R20.00
	(vi) For a copy of an audio record	R30.00
	d. To search for a record that must be disclosed (per hour or part of an hour reasonably required for such searching and preparation	R30.00 an hour
4.2	For purpose 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	
4.3	If a copy or a record needs to be posted, the requester has to pay the actual postal fee.	