

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

Effective date: 16 July 2021 | V2 | Next Review: 1 March 2023

1. INTRODUCTION

The Promotion of Access to Information Manual (“Manual”) is published in terms of Section 51 of the Promotion of Access to Information Act No. 2 of 2000 (“PAIA”), as amended by the Protection of Personal Information Act No. 4 of 2013 (“POPIA”). This Manual gives effect to the constitutional right of access to information but recognises limitations to this right including, but not limited to, the reasonable protection of privacy, commercial confidentiality, and good governance.

Important to this Manual the following annexures apply:

- Annexure A: The Efficient Group Legal Structure
- Annexure B: The Request for Access to a Copy of the Guide
- Annexure C: Request for Access to Records in Terms of PAIA
- Annexure D: Fees in Respect of Access to Records
- Annexure E: Outcome of Request and Fees Payable
- Annexure F: Request for Record/Description of Personal Information in Terms of POPIA
- Annexure G: Objection to the Processing of Personal Information in Terms of POPIA
- Annexure H: Request for Correction/Deletion of Personal Information in Terms of POPIA

2. OBJECTIVE

This Manual will enable you to know what types of information we hold, the manner and form in which a request for information must be submitted in terms of PAIA and POPIA, as well as the grounds on which a request may be denied. It further defines how you may object to the processing of your personal information and/or request a correction or deletion of your personal information.

3. SCOPE AND OVERVIEW

Boutique Investment Partners (Pty) Ltd (“BIP”) is a private company duly incorporated in the Republic of South Africa, with registration number 2013/095013/07, and a subsidiary of the Efficient Group (Pty) Ltd, specialising in asset management and consulting. The Efficient Group legal structure is attached as

ANNEXURE A.

4. DEFINITIONS

In this Manual, unless the context otherwise indicates:

client	means any natural or juristic entity that receives services from BIP;
data subject	means the person to whom personal information relates as defined in POPIA;
employee	means all permanent and temporary employees of the Efficient Group, including financial advisors, consultants, temporary workers, and directors;
personal information	means information relating to you that includes, but is not limited to: <ul style="list-style-type: none">a. information relating to race, gender, sex, pregnancy, marital status, nationality, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth;b. information relating to education, medical, financial, criminal or employment history;c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to you;d. biometric information;e. personal opinions, views or preferences;f. correspondence sent by you that is implicitly or explicitly of a private or confidential nature, or further correspondence that would reveal the contents of the original correspondence;g. your opinions or views about another individual; andh. your name, if it appears with other personal information relating to you, or if the disclosure of your name itself would reveal information about you;
record	means any recorded information: <ul style="list-style-type: none">a. regardless of form or medium;

	<p>b. in the possession or under the control of BIP, respectively; and</p> <p>c. whether or not it was created by BIP, respectively;</p>
requestor	means the person requesting access to the records.

5. CONTACT DETAILS

BIP duly appointed an Information Officer to oversee compliance with this Manual. The relevant contact details are:

Information Officer	
Name:	Pierre de Klerk
Direct telephone number:	012 460 9580
E-mail address:	pdeklerk@bcis.co.za
Physical address:	81 Dely Road, Hazelwood, Pretoria, 0081
Website:	www.bcis.co.za/boutique-investment-partners

6. INFORMATION REGULATOR'S GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is available from the Information Regulator. The Guide is also made available in English and Afrikaans at the offices of BIP or by requesting it from the Information Officer. Any request for public inspection of the Guide at the office of the Information Regulator or a request for a copy of the Guide from the Information Officer must substantially correspond with **ANNEXURE B**.

7. CATEGORIES OF RECORDS HELD BY BIP

The categories of records held by BIP are listed in the table that follows, according to the respective divisions. A category of record in this Manual does not imply that a request for access to such a record would be granted. All requests for access will be evaluated on a case-by-case basis by the Information Officer. Information that is obtainable via our website is automatically available and thus there is no need to formally request this in terms of this Manual.

DIVISION	CATEGORY
Company Secretarial and Legal	Statutory company records Minutes and related meeting information Records of executive, board and shareholder decisions, and related documentation Trademark information General agreement documentation Securities and equities Terms of reference for board and board committees Shareholder information Legally privileged material Internal legal opinions Legal policies and procedures
Compliance	Compliance policies and procedures Regulatory licences Regulatory and industry body reports Compliance reports Complaints register Gifts register Training register Conflict of Interest register Fit and proper documentation of Representatives, Key Individuals, and Managers of Collective Investments Schemes
Executive Office	Business continuity plan Strategic plans Research information belonging to BIP, whether conducted itself or commissioned from a third party
Finance	Invoices Finance-related policies and procedures Audit records Annual financial statements Asset register Rental agreements Bank statements Management accounts Tax, VAT and PAYE records Payroll

DIVISION	CATEGORY
	<ul style="list-style-type: none"> Procurement records Service provider information Professional indemnity insurance Going concern assessment
Human Resources	<ul style="list-style-type: none"> Employee records Employment contracts Employment-related policies and procedures Health and safety records Employment equity records Training/learning and development records Job applicant information Reports to industry body
Information Technology	<ul style="list-style-type: none"> Information technology policies and procedures Disaster recovery plan and tests System security tests
Marketing	<ul style="list-style-type: none"> Market information Media releases The Efficient Group legal structure Internal publications and newsletters Client communication by e-mail or SMS Advertising and promotional material (including marketing brochures)
Operational	<ul style="list-style-type: none"> Records provided by clients Records provided by third parties regarding clients Records provided by clients' financial advisors Clients' transactional records Correspondence with clients Service agreements entered into with third parties
Risk	<ul style="list-style-type: none"> Risk register Risk Tolerance Framework Fraud Risk Register Internal audit plan and reports

8. RECORDS AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

Information may also be available in terms of, among others, the following legislation:

- + Basic Conditions of Employment Act No. 75 of 1997.
- + Broad-Based Black Economic Empowerment Act No. 53 of 2003.
- + Companies Act No. 71 of 2008.
- + Compensation for Occupational Injuries and Diseases Act No. 130 of 1993.
- + Competition Act No. 89 of 1998.
- + Copyright Act No. 98 of 1978.
- + Electronic Communications and Transactions Act No. 25 of 2002.
- + 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 Markets Act No. 19 of 2012.
- + Income Tax Act No. 58 of 1962.
- + Insolvency Act No. 24 of 1936.
- + Insurance Act No. 18 of 2017.
- + Intestate Succession Act No. 81 of 1987.
- + Labour Relations Act No. 66 of 1995.
- + Long-Term Insurance Act No. 52 of 1998.
- + Occupational Health and Safety Act No. 85 of 1993.
- + Pension Funds Act No. 24 of 1956 and the Policyholder Protection Rules and Pension Fund Regulations.
- + Prevention and Combating of Corrupt Activities Act No. 12 of 2004.
- + Prevention of Organised Crime Act No. 121 of 1998.
- + Protected Disclosures Act No. 26 of 2000.
- + Protection of Constitutional Democracy Against Terrorist and Related Activities Act No. 33 of 2004.
- + Skills Development Act No. 97 of 1998.
- + Trust Property Control Act No. 57 of 1988.
- + Unemployment Insurance Act No. 30 of 1966.
- + Value-Added Tax Act No. 89 of 1991.

Although we have used our best endeavours to supply you with a list of applicable legislation, it is possible that the above list may be incomplete. This list will be reviewed annually.

9. REQUEST PROCEDURE FOR ACCESS TO RECORDS IN TERMS OF PAIA

- 9.1 The requestor must complete the prescribed form, included in **ANNEXURE C** of this Manual. The request form must be addressed to the Information Officer using the contact details in this Manual. All requests will be evaluated and considered by the Information Officer.
- 9.2 The request form must be completed in full. Any request for access to a record that does not comply with the formalities as prescribed by PAIA will be returned to the requestor.
- 9.3 BIP will not be held liable for delays owing to the receipt of incomplete forms.
- 9.4 Proof of identity is required to authenticate the identity of the requestor. If the requestor acts as an agent, proof of the identity of the agent and of the requestor is required, as well as the authority or mandate given to the agent of the requestor.
- 9.5 BIP requests a fee to enable it to recover the cost of processing a request for records and providing access to records. The fees are outlined in **ANNEXURE D** of this Manual.
- 9.6 A bank deposit is the only accepted payment method for record requests. Banking details will be provided by the Information Officer upon receipt of a request for access to a record with an estimate of the fees payable. A request for access to records will only be considered once a fully completed form and the prescribed request fee have been received by the Information Officer.
- 9.7 Requests for access to records will be processed within 30 (thirty) days, unless a request contains considerations that are of such a nature that an extension of the time limit is needed. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary. If the Information Officer decides to grant you access to the record, such access must be granted within 30 (thirty) days of being informed of the decision.
- 9.8 The Information Officer shall decide whether to grant the requested access to records and inform the requestor accordingly. Section 17 of PAIA stipulates that the disclosure of a record is compulsory if the disclosure reveals evidence of a substantial contravention of, or failure to comply with, the law, or there is an imminent and serious public-safety or environmental risk and the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure. The requestor shall be notified of the decision in the most expedient manner possible. If the Information Officer has searched for a record and it is believed that the record either does not exist or cannot be found, the requestor will be notified accordingly. The notification will include a summary of all the steps taken to find the record in question or to determine whether the record exists.
- 9.9 If the request for access to a record affects a third party, then such third party must first be informed of the request by the Information Officer as soon as possible but within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record. If the request for access to information is refused by the Information Officer, the requestor shall be provided with written reasons for such refusal.

10. GROUNDS FOR THE REFUSAL OF ACCESS IN TERMS OF PAIA

There are various grounds upon which a request for access to a record may be refused in terms of PAIA. These grounds include:

- 10.1 The protection of personal information of a third person (who is a natural person) from unreasonable disclosure if the record contains:
 - 10.1.1 trade secrets of that third party;
 - 10.1.2 financial, commercial, scientific, or technical information, of which disclosure could likely cause harm to the financial or commercial interests of that third party; and/or
 - 10.1.3 information disclosed in confidence by a third party to BIP.
- 10.2 The disclosure of the record could put that third party at a disadvantage in negotiations or commercial competition.
- 10.3 The protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement.
- 10.4 The protection of confidential information of third parties if it is protected in terms of any agreement or legislation.
- 10.5 The protection of the safety of individuals and the protection of property.
- 10.6 The protection of records which would be regarded as privileged in legal proceedings.
- 10.7 The protection of commercial activities of BIP, which may include:
 - 10.7.1 trade secrets;
 - 10.7.2 financial, commercial, scientific, or technical information, of which disclosure could likely cause harm to the financial or commercial interests of BIP;
 - 10.7.3 information which, if disclosed, could put BIP at a disadvantage in negotiations or commercial competition; and
 - 10.7.4 a computer program which is owned by BIP and which is protected by copyright.
- 10.8 The protection of research information of BIP or a third party which disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 10.9 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

11. REMEDIES AVAILABLE TO A REQUESTOR ON THE REFUSAL OF ACCESS

- 11.1 There is no internal appeal procedure after a request to access information has been refused. The decision made by the Information Officer is final. If a requestor is not satisfied with the outcome of the request, they are entitled to apply to the Information Regulator or a court of competent jurisdiction, within 180 (one hundred and eighty) days of the decision, to take the matter further.
- 11.2 Where a third party is affected by the request for access, and the Information Officer has decided to grant access to a record, the third party has 180 (one hundred and eighty) days in which to appeal the decision in a court.

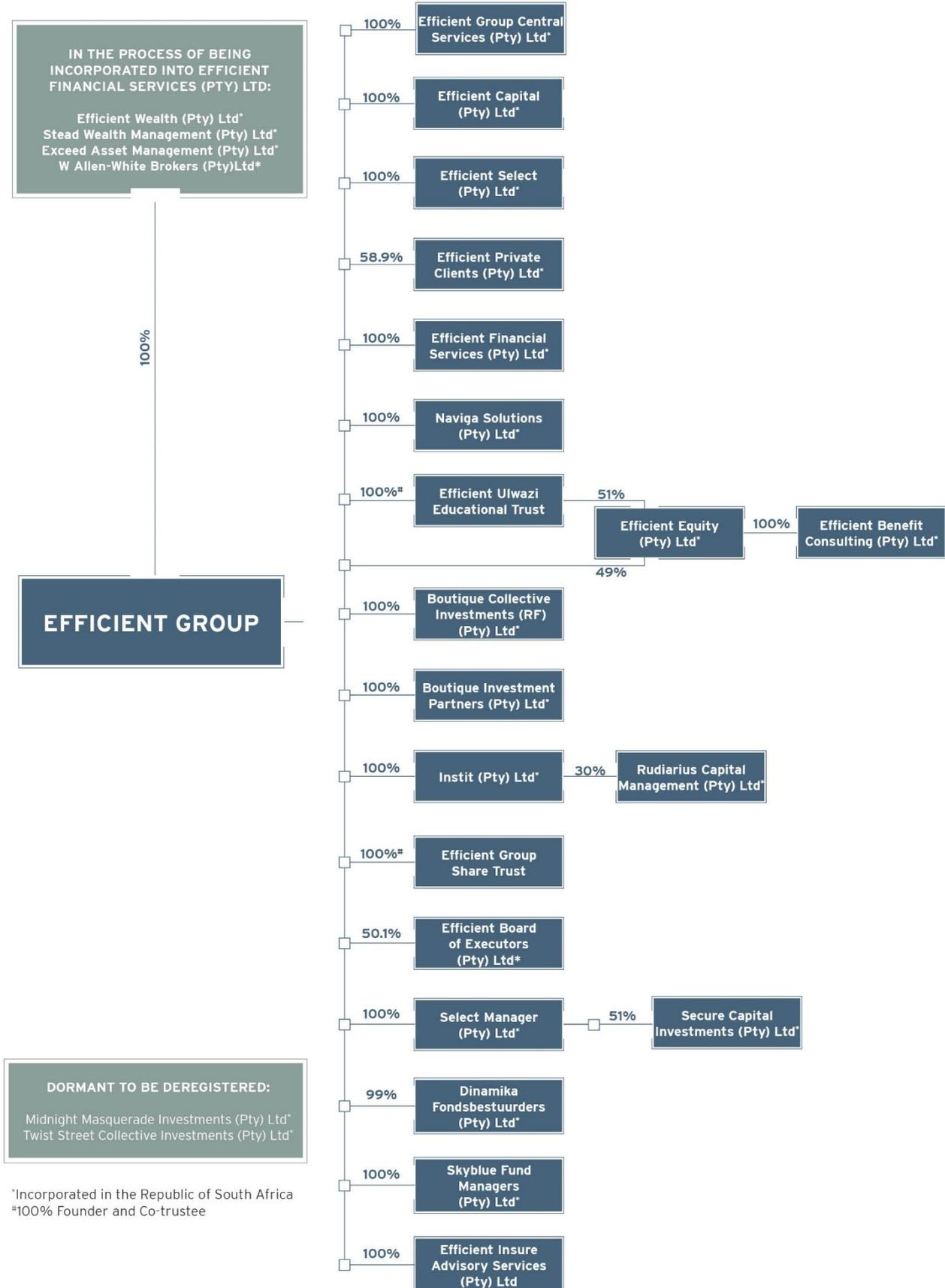
12. PROCESSING PERSONAL INFORMATION IN TERMS OF POPIA

- 12.1 BIP will collect, use, and share your personal information in accordance with its [Privacy Policy](#). This policy is available on our website or upon request from the Information Officer.
- 12.2 In terms of POPIA you may, upon proof of identity, request BIP to confirm, free of charge, the personal information that it holds about you. To exercise this right, please contact our Information Officer.
- 12.3 You may request a record, or a description of the personal information held by BIP about you, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to your personal information. To do so, complete the request form in **ANNEXURE F** to this Manual and submit the request to the Information Officer. You may be required to pay a fee for this service, as indicated in **ANNEXURE D**. The Information Officer will provide you with the amount payable before providing the service, including the banking details that the fees must be paid into.
- 12.4 You may object at any time, free of charge, to the processing of personal information by BIP, on reasonable grounds, unless legislation provides for such processing. If you want to object to the processing of your personal information, please complete the prescribed form attached hereto as **ANNEXURE G** and submit it to the Information Officer.
- 12.5 You may request BIP to correct the personal information held about you if it is inaccurate, irrelevant, excessive, outdated, incomplete, misleading or has been obtained unlawfully. To request the correction of your personal information you would need to complete **ANNEXURE H** to the Manual. This form must be submitted to the Information Officer.
- 12.6 If you wish BIP to destroy or delete a record of personal information about you that we are no longer authorised to retain in terms of POPIA, please complete **ANNEXURE H** to this Manual and submit it to the Information Officer.

13. AVAILABILITY OF THIS MANUAL

This Manual will be available on [our website](#) or by submitting a request for a copy to the Information Officer using the contact details in clause 5 of this Manual.

EFFICIENT GROUP LEGAL STRUCTURE



ANNEXURE B – REQUEST FOR A COPY OF THE GUIDE

TO: The Information Regulator
P.O. Box 31533
Braamfontein
2017

Email address: enquiries@infoeregulator.org.za

Tel number: +27 (0) 10 023 5200

OR
The Information Officer

REQUESTOR INFORMATION

I,
Full names: _____

In my capacity as Information Officer _____ Other _____
(mark with "x")

Name of public/private body *(if applicable)* _____

Postal Address: _____

Street Address: _____

Email Address: _____

Contact numbers: Tel. (B): _____ Cellular: _____

Hereby request the following copy(ies) of the guide:

Language (make with "X")	No. of copies	Language (make with "X")	No. of copies
Sepedi		Sesotho	
Setswana		siSwati	
Tshivenda		Xitsonga	
Afrikaans		English	
isiNdebele		IsiXhosa	
isiZulu			

Manner of collection (mark with "x")

Postal address	E-mail address
_____	_____

Signed at _____ on this _____ day of _____ 20_____

Signature of requestor

ANNEXURE C – REQUEST FOR ACCESS TO RECORDS IN TERMS OF PAIA

Note:

- 1 Proof of identity must be attached by the requester.
- 2 If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

Mark with an "X"

<input type="checkbox"/>	Request is made in my own name	<input type="checkbox"/>	Request is made on behalf of another person
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PERSONAL INFORMATION

Full names:

Identity number:

Capacity in which request is made (*when made on behalf of another person*):

Postal Address:

Street Address:

E-mail Address

Contact numbers:

Tel. (B):

Cellular:

Full names of person on whose behalf request is made (*if applicable*):

Identity number:

Postal Address:

Street Address:

E-mail Address:

Contact numbers:

Tel. (B):

Cellular:

PARTICULARS OF RECORD REQUESTED

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. All additional pages must be signed.)

Description of record
or relevant part of the
record:

Reference number, if
available:

Any further particulars
of record:

TYPE OF RECORD (Mark the applicable box with an "X")

Record is in written or printed form	
Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS (Mark the applicable box with an "X")

Printed copy of record (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription or virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS (Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

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:

FEES

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- c) 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.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason:	
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You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	E-mail address

Signed at _____ on this _____ day of _____ 20_____

Signature of requestor/person on whose behalf request is made

Name of requestor in capital letters

FOR OFFICIAL USE

Reference number: _____

Request received by: _____
(state rank, name and surname of information officer)

Date received: _____

Access fees: _____

Deposit (if any): _____

Signature of information officer

ANNEXURE D – FEES IN RESPECT OF ACCESS TO RECORDS IN TERMS OF PAIA

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	
	+ If provided by requestor	R40.00
	+ If provided to the requestor	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	Service to be outsourced. Will depend on quotation from Service provider.
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	
	(i) Flash drive (to be provided by requestor)	R40.00
	(ii) Compact disc	R40.00
	+ If provided by requestor	R60.00
	+ If provided to the requestor	
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R100.00
	To not exceed a total cost of	R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail, or any other electronic transfer	Actual expense, if any.

ANNEXURE E – OUTCOME OF REQUEST AND OF FEES PAYABLE

Note:

- 1 If your request is granted the requested record/portion of the record will only be released once proof of full payment is received.
- 2 Please use the reference number hereunder in all future correspondence.
- 3 Reference number: _____

TO: _____

Your request dated _____, refers.

You requested:

Personal inspection of information at the registered address of BIP (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this form with you. If you then require any form of reproduction of the information, you are liable for the fees included herein below.

OR

You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

Kindly note that your request has been:

Approved

Denied for the following reasons:

Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy	R1.50		
Printed copy	R1.50		
For a copy in a computer-readable form on:			
(iii) Flash drive (to be provided by requestor)	R40.00		
(iv) Compact disc	R40.00		
+ If provided by requestor	R60.00		
+ If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.		
Copy of visual images			
Transcription of an audio record, per A4-size page	R24.00		
Copy of an audio record on:			
(iii) Flash drive (to be provided by requestor)	R40.00		
(iv) Compact disc	R40.00		
+ If provided by requestor	R60.00		
+ If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL			

Deposit payable (if search exceeds six hours):

Yes

No

Hours of search

Amount of deposit
(calculated on one third of total
amount per request)

The amount must be paid into the following bank account:

Name of bank:

Name of account holder:

Type of account:

Account number:

Branch code:

Reference number:

Submit proof of payment to:

Signed at _____ on this _____ day of _____ 20_____

Signature of Information Officer

ANNEXURE G – OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
- 2. If the space provided for in this form is inadequate, submit information as an Annexure to this form and sign each page.
- 3. Complete as is applicable.

A - DETAILS OF DATA SUBJECT

Name(s) and
surname/registered
name of data subject:

Unique Identifier/
Identity Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Residential, postal or
business address:

Code ()

Contact number(s):

E-mail address:

B - DETAILS OF RESPONSIBLE PARTY

Registered name of
responsible party:

Business address:

Code ()

C - REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)
(Please provide detailed reasons for the objection)

Signed at _____ on this _____ day of _____ 20 _____

Signature of data subject or representative

D - REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and/or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.

*(*Please provide detailed reasons for the request)*

Signed at _____ on this _____ day of _____ 20 _____

Signature of data subject or representative