



## **ASISA PAIA MANUAL**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE  
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 AND THE  
PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 FOR THE  
ASSOCIATION FOR SAVINGS AND INVESTMENT SOUTH AFRICA**

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## 1. DEFINITIONS AND INTERPRETATION

In this document:

- 1.1. Clause headings are for convenience only and should not be used in its interpretation.
- 1.2. An expression which denotes:
  - 1.2.1. any gender includes the other genders;
  - 1.2.2. a natural person includes an artificial or juristic person and vice versa;
  - 1.2.3. the singular includes the plural and vice versa.
- 1.3. The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings:
  - 1.3.1. “**ASISA**” means the Savings and Investment Association – South Africa NPC, registration number 2008/017776/08, a non-profit company duly incorporated in terms of the company laws of South Africa;
  - 1.3.2. “**Data Subject**” means a data subject (as defined in POPIA) in respect of whom ASISA processes Personal Information as a Responsible Party;
  - 1.3.3. “**Employee**” means any person who carries out or conducts the business of ASISA and receives or is entitled to receive any remuneration from ASISA. This includes directors, all permanent, temporary and part-time employees, as well as consultants, , agency workers and contract workers;
  - 1.3.4. “**Information Officer**” means ASISA’s designated information officer as described in clause 5 of this Manual, responsible for discharging the duties and responsibilities assigned to an information officer as prescribed in terms of PAIA and POPIA respectively;
  - 1.3.5. “**Information Regulator**” means the information regulator established in terms of section 39 of POPIA;
  - 1.3.6. “**Manual**” means the manual set out in this document, which constitutes ASISA’s PAIA manual in terms of section 51 of PAIA;
  - 1.3.7. “**Member**” means a member of ASISA;

- 1.3.8. **“PAIA”** means the Promotion of Access to Information Act 2 of 2000;
  - 1.3.9. **“Personal Information”** means the *“personal information”*<sup>1</sup> as defined in POPIA relating to the Data Subjects;
  - 1.3.10. **“POPIA”** mean the Protection of Personal Information Act 4 of 2013, including any regulations and/or code of conduct made under that Act;
  - 1.3.11. **“Processing”** means *“processing”*<sup>2</sup> as defined in POPIA performed by ASISA in relation to Personal Information of Data Subjects;
  - 1.3.12. **“Responsible Party”** has the meaning ascribed thereto in POPIA, namely the persons who determine the purposes for which, and the manner in which, any personal information is processed.
- 1.4. Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time.
  - 1.5. If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party, then notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual.
  - 1.6. Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this Manual.

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<sup>1</sup> **“personal information”** is defined in POPIA as *“information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—*

*(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;*

*(b) information relating to the education or the medical, financial, criminal or employment history of the person;*

*(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;*

*(d) the biometric information of the person;*

*(e) the personal opinions, views or preferences of the person;*

*(f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;*

*(g) the views or opinions of another individual about the person; and*

*(h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;*

<sup>2</sup> **“processing”** is defined in POPIA as *“any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—*

*(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;*

*(b) dissemination by means of transmission, distribution or making available in any other form; or*

*(c) merging, linking, as well as restriction, degradation, erasure or destruction of information”.*



- 1.7. Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day.
- 1.8. The use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s.
- 1.9. Insofar as there is a conflict in the interpretation of or application of this Manual and PAIA or POPIA, the legislation shall prevail.
- 1.10. This Manual does not purport to be exhaustive of or comprehensively deal with every procedure provided for in PAIA or POPIA. A requester is advised to familiarise him/herself with the provisions of PAIA and POPIA before lodging any request with ASISA.

## 2. INTRODUCTION

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 of all private and public bodies. PAIA gives effect to section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information in a manner that affords persons a means/platform to obtain the records of private and public bodies as promptly and as efficiently as reasonably possible to endorse, including but not limited to, mechanisms and procedures that empower and educate all persons.

## 3. OVERVIEW OF ASISA

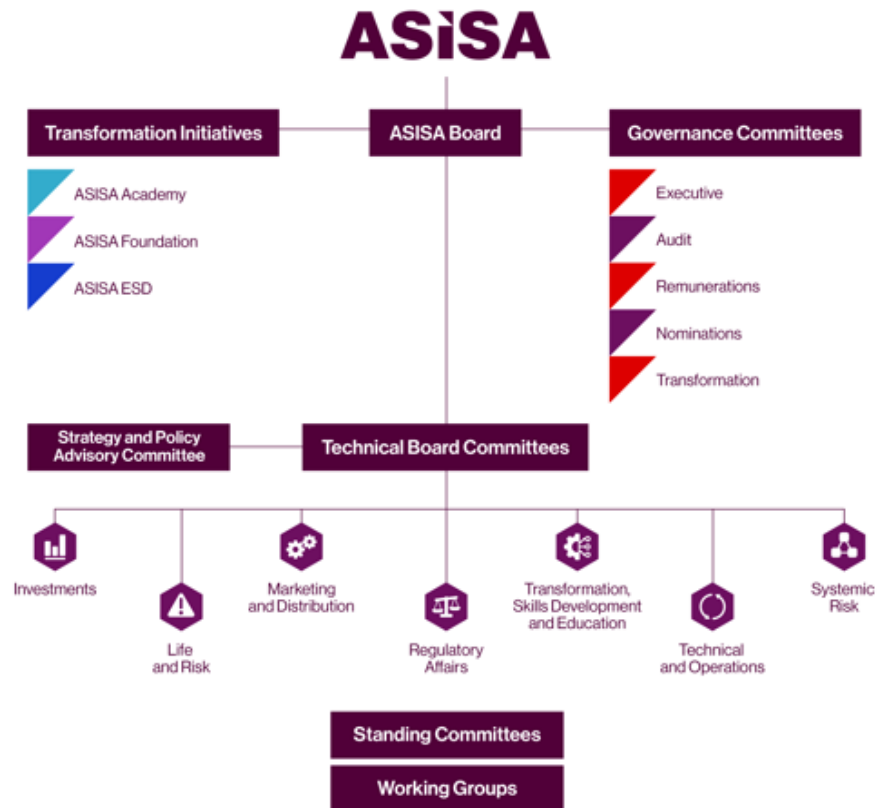
- 3.1. The Association for Savings and Investment South Africa NPC, a non-profit company with registered address at Bridge House, Boundary Terraces, 1 Mariendahl Lane, Newlands, 7700, represents the collective interests of the country's asset managers, collective investment scheme management companies, linked investment service providers, multi-managers and life insurance companies.
- 3.2. ASISA enables the financial services industry, which is the custodian of the nation's savings and investments, to speak with one voice.



3.3. ASISA’s mission is to promote a culture of savings and investment in South Africa by:

- 3.3.1. Building a transformed, vibrant, and globally competitive financial sector.
- 3.3.2. Actively participating in education, transformation and social development.
- 3.3.3. Encouraging South Africans to save.
- 3.3.4. Promoting transparency and disclosure.
- 3.3.5. Focussing on the consumer.
- 3.3.6. Encouraging ethical and equitable behaviour.
- 3.3.7. Collaborating with Government to achieve level playing fields and healthy competition and engage on policy and regulatory issues.

3.4. ASISA’s structure is depicted below:





## 4. PURPOSE OF PAIA MANUAL

- 4.1. This Manual provides information to the public about:
- 4.1.1. the categories and descriptions of records held by ASISA and how to make a request for access to such records;
  - 4.1.2. the contact details of the Information Officer who will assist the public with the records they intend to access;
  - 4.1.3. the guide on how to use PAIA and how to obtain access to it;
  - 4.1.4. the purposes for which ASISA Processing of Personal Information, the categories of Data Subjects involved and of the information or categories of information relating to such Processing;
  - 4.1.5. the recipients or categories of recipients to whom the Personal Information may be supplied;
  - 4.1.6. whether ASISA plans to transfer or Process Personal Information outside the Republic of South Africa and the recipients or categories of recipients to whom the Personal Information may be supplied; and
  - 4.1.7. ASISA's security measures to ensure the confidentiality, integrity and availability of the Personal Information which is to be Processed.

## 5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ASISA

### Information Officer

<b>Name</b>	Hanneke Pepler
<b>Telephone</b>	021 673 1620
<b>Email</b>	<a href="mailto:hpepler@asisa.org.za">hpepler@asisa.org.za</a>

### Head Office

<b>Postal Address</b>	Boundary Terraces, 1 Mariendahl Lane, Newlands, 7700
<b>Physical Address</b>	Boundary Terraces, 1 Mariendahl Lane, Newlands, 7700
<b>Website</b>	<a href="http://www.asisa.org.za">www.asisa.org.za</a>



## 6. GUIDE ON PAIA AND POPIA

- 6.1. The Information Regulator has, in terms of **section 10(1)** of **PAIA**, as amended, updated and made available an amended **Guide on how to use PAIA (“Guide”)** as may reasonably be required by a person who wishes to exercise any right contemplated in **PAIA** and **POPIA**.
- 6.2. The **Guide** contains descriptions of *inter alia*:
  - 6.2.1. the objectives of **PAIA** and **POPIA**;
  - 6.2.2. the contact details of every deputy information officer of every public and private body designated in terms of **section 17(1)** of **PAIA** and **section 56** of **POPIA**;
  - 6.2.3. the manner and form of a request for access to a record of a private body contemplated in **section 50**;
  - 6.2.4. the assistance available from the Information Regulator in terms of **PAIA** and **POPIA**;
  - 6.2.5. remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by **PAIA** and **POPIA**;
  - 6.2.6. the provisions of **sections 14** and **51** of **PAIA** requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
  - 6.2.7. the provisions of **sections 15** and **52** of **PAIA** providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 6.2.8. the notices issued in terms of **sections 22** and **54** of **PAIA** regarding fees to be paid in relation to requests for access; and
  - 6.2.9. the regulations made in terms of **section 92** of **PAIA**.
- 6.3. Copies of the updated **Guide** are available from Information Regulator in the manner prescribed (**Form 1**).



6.4. Any enquiries regarding the **Guide** should be directed to:

<b>Postal address:</b>	JD House 27 Stiemens Street Braamfontein, Johannesburg
<b>Telephone number:</b>	+27 (0) 10 023 5207
<b>Fax number:</b>	086 500 3351
<b>Email address:</b>	infoereg@justice.gov.za

## 7. RECORDS HELD BY ASISA

### Records that are automatically available

7.1. The records that are located on the ASISA website are automatically available and are freely accessible to any person requesting this information. It is therefore not necessary to apply for access thereto in terms of **PAIA**.

### Records held by ASISA in accordance with legislation

7.2. ASISA is required in accordance with legislation to retain certain records. Unless disclosure is prohibited in terms of legislation, regulation, contractual agreements or otherwise, records required to be kept in terms of applicable legislation are available for inspection by interested parties, subject to **PAIA**, the legislation listed below and ASISA's internal policies and procedures, should such interested parties be entitled to such information.

7.3. ASISA holds records in accordance with the following legislation, among others.

- 7.3.1. **Basic Conditions of Employment Act (No 75 of 1997)**
- 7.3.2. **Broad-Based Black Economic Empowerment Act (No 53 of 2003)**
- 7.3.3. **Companies Act (No 71 of 2008)**
- 7.3.4. **Compensation for Occupational Injuries and Diseases Act (No 130 of 1993)**
- 7.3.5. **Electronic Communications and Transaction Act (No 25 of 2002)**
- 7.3.6. **Employment Equity Act (No 55 of 1998)**
- 7.3.7. **Financial Intelligence Centre Act (No 38 of 2001)**
- 7.3.8. **Income Tax Act (No 58 of 1962)**



- 7.3.9. Labour Relations Act (No 66 of 1995)
- 7.3.10. Occupational Health and Safety Act (No 85 of 1993)
- 7.3.11. Pension Funds Act (No 24 of 1956)
- 7.3.12. Protection of Personal Information Act (No 4 of 2013)
- 7.3.13. Regulation of Interception of Communications and Provision of Communication-Related Information Act (No 70 of 2002)
- 7.3.14. Unemployment Insurance Act (No 63 of 2001)
- 7.3.15. Value Added Tax Act (No 89 of 1991)

### Other types of records held by ASISA in terms of section 51(1) of PAIA

7.4. The table below contains a description of the types of subjects on which ASISA holds records, and the categories of records we inter alia hold on each subject.

Subject	Description of record
<b>Human resources and labour relations records</b>	This category includes HR policies and procedures, advertisements and recruitment records, Employee records, learning and development and training records, equity and diversity information, remuneration and payroll information, pension fund and other employee benefit records and records which ASISA is required to keep on Employees by law.
<b>Tax records</b>	This category includes pay-as-you-earn (PAYE) records, documents issued to Employees for income tax purposes, records of payments made to SARS on behalf of Employees, statutory compliance records, VAT records, skills development levies and unemployment insurance records.
<b>Finance records</b>	This category includes financial statements, financial and accounting records, contract administration, income statements, management accounting, balance sheets, cash flow statements, receipts, invoices, asset registers, payment records, budgets, audit reports, revenue statements and other documents essential for monitoring ASISA's financial health.



<b>Internal records (pertaining to ASISA’s own business)</b>	Founding records, strategic records, operational records, Intellectual property records, internal policies and procedures, data bases, minutes of meetings, insurance records, information technology records, reports, delegations of authority, risk registers, statutory or regulatory records ASISA is obliged to keep, governance records, compliance documents, business licenses, permits, intellectual property documents, contracts and other legal documents.
<b>Operational records</b>	This category includes essential documentation such as inventory logs, vendor contracts, supply chain paperwork, maintenance reports, accounting records and other records that ensure smooth daily business operations, accounting records,  This category also includes IT records, such as software licenses, cybersecurity logs, usage statistics and equipment details and IT maintenance documents to support technological infrastructure.
<b>Member related records</b>	This category includes Membership rules, records generated by or within ASISA relating to its Members, such as Member files, meeting recordings and submissions on regulation.
<b>Supplier records</b>	This category includes supplier contracts, supplier lists and service records.
<b>Records relating to regulation</b>	This category includes documents and correspondence received from regulatory bodies or authorities.
<b>Media and publicity</b>	This category includes media releases, radio and TV interviews, statements, website contents, presentations for events, functions, seminars and conferences, newsletters, publications and corporate identity records.

## 8. PROCESSING PERSONAL INFORMATION

### General

- 8.1. Chapter 3 of POPIA provides for the minimum conditions for lawful processing of personal information. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.
- 8.2. In the course of running ASISA’s business, ASISA Processes Personal Information of Data Subjects as contemplated in POPIA. ASISA will ensure that all Processing conditions of POPIA are complied with.



## Purposes for which Personal Information is Processed

8.3. ASISA will only Process Personal Information for the specific and lawful purposes it is collected, unless ASISA reasonably considers that it needs to use it for another reason and that reason is compatible with the original purpose.

CATEGORY OF DATA SUBJECTS	PURPOSES OF PROCESSING
<p><b>Members</b></p>	<ul style="list-style-type: none"> <li>• Register new Members.</li> <li>• Record Member representatives.</li> <li>• Provide the services requested.</li> <li>• Maintain Member relationships, communicate with Members and provide information on regulatory affairs, ASISA updates and general news which ASISA believes Members may be interested in.</li> <li>• Confirm and verify identity and registration details.</li> <li>• Comply with legal, regulatory and compliance obligations including with regard to record keeping, anti-money laundering and tax laws.</li> <li>• Process fees and payments.</li> <li>• Seek advice from third parties, such as legal and other experts.</li> <li>• Detect, investigate and prevent crime, including fraud and money laundering.</li> <li>• Market ASISA's services and those of the other entities in the ASISA group to the extent Members have agreed.</li> <li>• Deal with any other issues which may arise as necessary during the course of ASISA providing services to its Members.</li> </ul>
<p><b>Employees</b></p>	<ul style="list-style-type: none"> <li>• Manage employment or consultation contracts.</li> <li>• Make decisions about recruitment or appointments.</li> <li>• Pay employees, deduct tax and contributions such as UIF.</li> <li>• Conduct performance reviews and manage performance.</li> <li>• Education, training and development.</li> <li>• Make decisions about continued employment or termination of contract, promotions and compensation.</li> </ul>



	<ul style="list-style-type: none"> <li>• Monitor equal opportunities and diversity.</li> <li>• Comply with regulatory requirements, such health and safety, employment, money-laundering, fraud prevention and tax laws.</li> <li>• Gather evidence for grievance or disciplinary matters.</li> <li>• Monitor employees' use of ASISA's information and communication systems and check that IT and security policies are followed.</li> <li>• Carry out business management and planning.</li> </ul>
<b>Service providers</b>	<ul style="list-style-type: none"> <li>• Verifying identity and registration details.</li> <li>• Conclude and manage contracts.</li> <li>• Invoicing and payments.</li> </ul>

**Description of the categories of Data Subjects and of the information or categories of information relating thereto**

8.4. The types of Personal Information ASISA collects depend on the purposes for which it is Processed. ASISA complies with the principle of minimality under **POPIA**, which means that ASISA only collects Personal Information which is adequate, relevant and not excessive for the particular purpose.

<b>CATEGORY OF DATA SUBJECTS</b>	<b>INFORMATION / CATEGORIES OF INFORMATION</b>
<b>Members</b>	<ul style="list-style-type: none"> <li>• Identity information such as names, identity/registration numbers, job titles, and information that is necessary to verify identity.</li> <li>• Contact information such as addresses, email addresses and telephone numbers.</li> <li>• Financial information such as bank account and payment details.</li> <li>• Employment information such as employer's details and positions held.</li> <li>• Member information provided to ASISA, information ASISA requires relevant to the services which ASISA is providing and own Member records.</li> <li>• Company or business details such as business' names, registration numbers, business addresses, VAT number.</li> <li>• Compliance information such as details ASISA requires to comply with the law.</li> </ul>



	<ul style="list-style-type: none"> <li>• Marketing and communications information such as preferences in receiving marketing from ASISA and communication preferences.</li> </ul>
<b>Employees</b>	<ul style="list-style-type: none"> <li>• Contact details such as names, addresses, telephone numbers, and personal email addresses.</li> <li>• Identity information such as identity numbers and dates of birth.</li> <li>• Gender, marital status and dependents.</li> <li>• Next of kin and emergency contacts.</li> <li>• Bank account details, payroll records and tax information.</li> <li>• Salary, annual leave, pension and benefits information.</li> <li>• Recruitment information, such as CVs, references or educational information.</li> <li>• Full employment records (including contracts, job titles, work history, promotions, absences, compensation history and professional memberships).</li> <li>• Performance and appraisal information.</li> <li>• Disciplinary and grievance information.</li> <li>• CCTV footage and other information obtained through electronic means.</li> <li>• Information about use of ASISA's information and communications systems.</li> <li>• Information about injury at work and leave of absence.</li> <li>• Educational and training information.</li> <li>• Information that ASISA requires to comply with the law.</li> </ul>
<b>Service providers</b>	<ul style="list-style-type: none"> <li>• Identification information as names, identity/registration numbers, job titles, and information that is necessary to verify identity.</li> <li>• Company or business details such as business' names, registration numbers, business addresses, VAT number, officers' and employees' identity and contact data.</li> <li>• Contact information such as addresses, email addresses and telephone numbers.</li> <li>• Financial information such as bank account, invoicing and payment details.</li> <li>• Service provider information such as information provided to ASISA or which ASISA requires relevant</li> </ul>



	<p>to the services which ASISA is requesting or receiving.</p> <ul style="list-style-type: none"> <li>• Compliance information such as details ASISA requires to comply with the law.</li> </ul>
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8.5. ASISA may collect special (sensitive) categories of Personal Information, including race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about health and genetic and biometric data and any criminal convictions and offences. ASISA does not generally collect special Personal Information unless the Data Subject has agreed, the Data Subject provides it to ASISA, it is necessary to exercise the Data Subject's or ASISA's rights in, or is required by, law or it is public information.

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

8.6. ASISA uses third party service providers who provide certain services on ASISA's behalf and may share Personal Information with them, for example storage providers, website or database hosting companies and auditors.

8.7. In the event that any Personal Information is shared with the above third parties, ASISA has appropriate contracts in place with them to ensure the confidentiality and security of such Personal Information and that such Personal Information is only used for the purposes ASISA has specified.

**Other third parties**

8.8. ASISA may share Personal Information with other third parties, such as legal counsel for advice or non-legal experts to obtain advice or assistance or as may otherwise arise in the course of providing services to Members.

**Obligatory or necessary sharing**

8.9. ASISA has to share Personal Information with entities such as regulatory and industry bodies, government and law enforcement agencies where ASISA is under a legal, regulatory or professional obligation to do so.

8.10. ASISA also shares Personal Information where it is necessary for ASISA to do so in order to run ASISA's business, for example qualifications authorities and credit bureau.



## Trans-border/Cross border flows of Personal Information

8.11. ASISA generally does not transfer Personal Information to recipients outside of the Republic of South Africa. However, where ASISA does (for example where information is stored in a cloud outside the Republic) ASISA complies with the conditions for the transborder flow of Personal Information as provided by [section 72 of POPIA](#).

## Data security

8.12. ASISA takes reasonable, appropriate and adequate technical and organisational measures to ensure that Personal Information is kept secure and is protected against unauthorised or unlawful Processing, accidental loss, destruction, damage, alteration, disclosure or unauthorised access. ASISA contractually mandates any third parties to which Personal Information is transferred to do the same.

8.13. ASISA regularly reviews its security controls and related Processes to ensure that Personal Information is secure. However, where there are reasonable grounds to believe that Personal Information has been accessed or acquired by any unauthorised person, ASISA will notify the Information Regulator and the Data Subjects involved, unless the Information Regulator or a public body responsible for detection, prevention or investigation of offences, informs us that notifying Data Subjects will impede a criminal investigation.

## 9. REQUEST FOR ACCESS TO INFORMATION

### Access to Personal Information under POPIA

9.1. In terms of [POPIA](#) a Data Subject, having provided adequate proof of identity, has the right to request from ASISA the record or a description of the Personal Information about the Data Subject held by ASISA, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.

9.2. Any request for access to Personal Information in terms of [POPIA](#) must be made to the Information Officer and in the prescribed form [PAIA Form 2 – Request for Access to a Record](#), attached hereto.

- 9.3. A Data Subject may object, at any time, to the Processing of Personal Information by ASISA, on reasonable grounds relating to his/her particular situation, unless legislation provides for such Processing.
- 9.4. A Data Subject may also request ASISA to correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of Personal Information about the Data Subject that ASISA is no longer authorised to retain in terms of **POPIA**'s retention and restriction of records provisions.
- 9.5. A Data Subject that wishes to:
  - 9.5.1. object to the Processing of their Personal Information must complete **POPIA Form 1** attached hereto; and
  - 9.5.2. request a correction or deletion of Personal Information or the destruction or deletion of a Record of Personal Information must complete **POPIA Form 2** attached hereto and submit it to the Information Officer.

## **Access to information under PAIA**

- 9.6. **PAIA** provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.
- 9.7. Information will therefore not be furnished unless a person provides sufficient particulars to enable ASISA to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. **PAIA** and the request procedure contained in this Manual may not be used for access to a Record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.
- 9.8. All requests in terms of **PAIA** and this Manual must be addressed to the Information Officer using the details above.
- 9.9. Any request for access to a record in terms of **PAIA** must substantially correspond with **PAIA Form 2 – Request for Access to a Record**, attached hereto, and should be specific in terms of the Record requested.



- 9.10. Proof of identity is required to authenticate the Data Subject's identity and the request. The Data Subject will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of their identity document or other legal forms of identity.
- 9.11. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

## 10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- 10.1. In terms of [section 62 to 69 of PAIA](#) access granted to a record may be refused on one or more of the following grounds:
  - 10.1.1. protection of privacy to a third party who is a natural person;
  - 10.1.2. protection of the commercial information of a third party;
  - 10.1.3. protection of certain confidential information of a third person;
  - 10.1.4. protection of the safety of individuals and the protection of property;
  - 10.1.5. protection of records privileged from production and legal proceedings;
  - 10.1.6. the commercial information and activities of ASISA;
  - 10.1.7. the protection of research information of a third party; and
  - 10.1.8. any other ground legally available on which to refuse access to the information requested.
- 10.2. Despite any provisions of [PAIA](#), a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply with, the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated in terms of [section 70 of PAIA](#).

## 11. APPLICABLE TIME PERIODS

- 11.1. ASISA will inform the requester within 30 days after receipt of the request of ASISA's decision whether or not to grant the request.
- 11.2. The 30 (thirty)-day period may be extended by a further period of not more than 30 (thirty) days if the request is for a large number of records or requires a search through a large number of records and compliance with the original



period would unreasonably interfere with the activities of ASISA or the records are not located at ASISA's offices.

- 11.3. If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party then has a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

## 12. OUTCOME OF THE REQUEST (GRANTING OR REFUSING)

- 12.1. Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon.
- 12.2. The decision made by the Information Officer after a request to access of information is final. However, in the event that you are not satisfied with the outcome of the request, you are encouraged to engage ASISA's senior management with a view to resolving the matter.
- 12.3. The requester may lodge an application with a Court against the refusal of the request.

## 13. PAYMENT OF FEES

- 13.1. PAIA provides for two types of fees, namely:
  - 13.1.1. a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and
  - 13.1.2. an access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 13.2. Subsequent to a request being made, the Information Officer, will require the requester to pay the prescribed request fee (if any), before further processing of the request.
- 13.3. If the search for and preparation for disclosure of the record has been made, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, ASISA will request the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.



13.4. ASISA may withhold a record until the requester has paid the required fees.

## 14. AVAILABILITY OF THE MANUAL

14.1. This manual is available in English:

14.1.1. in hard copy at the head office of ASISA during normal business hours.

14.1.2. in electronic format on ASISA's website ([www.asisa.org.za](http://www.asisa.org.za)).

14.2. A fee for a copy of the Manual, as contemplated in the **PAIA Regulations**, shall be payable per each A4-size photocopy made.

## 15. UPDATING OF THIS MANUAL

This manual will be reviewed and updated, if necessary, on a periodic basis.

Issued by:

Hanneke Pepler

Information Officer



## FORM 2 (PAIA)

### REQUEST FOR ACCESS TO RECORD [Regulation 7]

**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:**

<b>The Information Officer</b>	
<b>Address</b>	
<b>E-mail address</b>	
<b>Fax number</b>	

**Mark with an "X"**

Request is made in my own name

Request is made on behalf of another person.

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)		Fax
	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)		Fax
	Cellular		

<b>PARTICULARS OF RECORD REQUESTED</b> 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	

<b>TYPE OF RECORD</b> (Mark the applicable box with an "X")	
Record is in written or printed form	<input type="checkbox"/>
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	<input type="checkbox"/>
Record consists of recorded words or information which can be reproduced in sound	<input type="checkbox"/>
Record is held on a computer or in an electronic, or machine-readable form	<input type="checkbox"/>



<b>FORM OF ACCESS</b> (Mark the applicable box with an "X")	
Printed copy of record (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 record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (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)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
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)	



<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<b>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.</b>	
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	

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

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	Facsimile	Electronic communication <i>(please specify)</i>

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

\_\_\_\_\_

Signature of Requester / person on whose behalf request is made

**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



## FORM 1

### OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

#### REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 2]

**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)	
Fax number / E-mail address	



B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party	
Residential, postal or business address	Code ()
Contact number(s)	
Fax number / E-mail address	

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

Signed at ..... this ..... day of ..... 20.....

.....  
Signature of data subject/designated person



## FORM 2

### REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

#### REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 3]

**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.*

Mark the appropriate box with an “x”.

**Request for:**

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.**
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.**

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)	
Fax number / E-mail address	



B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party	
Residential, postal or business address	Code ( )
Contact number(s)	
Fax number / E-mail address	

C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/ DESTROYED

D	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/ DESTROYED

Signed at ..... this ..... day of ..... 20.....

.....  
Signature of data subject/designated person