



Promotion of Access to Information

Act 2 of 2000 (the PAIA Act)



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1. Functions & functional structure

OUTvest is a direct retail investment company, a member of the OUTsure Group, a leading South African financial services group.

The purpose of the company is:

To provide personalised investment advice and administration tailored to our clients' financial and personal needs in accordance with FAIS Act and applicable laws.

2. Business and Management Structure

OUTvest conducts its business from a centralised Office situated in Centurion, Gauteng.

2.1. Board of Directors

DH Matthee, SV Naidoo, K Pillay, RSM Ndlovu. GC Locke, ZM Waterston (Company Secretary).

2.2. Executive Committee

Jan Hofmeyr, Lynette Bisschoff, Suren Naidoo, Keneiloe Selamolela, Wilbur Smith, Natasha Kawulesar, Micky Maharaj, Riyaad Loonat, Danie Matthee (Chief Executive Officer).

3. Contact Details

Information Officer:	Mrs Natasha Kawulesar
Phone:	+ 27 (0) 12 675 4607
E-mail:	informationofficer@out.co.za
Postal Address:	P.O. Box 8443 Centurion 0046
Physical Address:	1241 Embankment Road Centurion 0157

4. Information Requests

In terms of Chapter 1, Section 50 of the Act, any person may request access to information from OUTvest provided that:

1. The record is required for the exercise or protection of any rights;
2. The requester complies with the procedural requirements as defined in the act for a request to access a record;
3. Access to a record is not refused on any ground for refusal as contemplated in the Act.

In terms of Section 23 of the Protection of Personal Information Act (POPIA) a data subject has the right, having provided adequate proof of identity, to:

1. Request to confirm, free of charge, whether or not OUTvest holds personal information about the data subject; and
2. Request the record or a description of the personal information held by OUTvest, including information about the identity of all third parties, or categories of third parties, who have, or have had access to the information –
 - a) Within a reasonable time;
 - b) at a prescribed fee;
 - c) in a reasonable manner and format; and
 - d) in a form that is generally understandable.

5. Access Form

OUTvest will entertain a request for access to a record as defined in terms of Chapter 3, Section 53 of the Act provided that, the request is received on the prescribed form and addressed to the contact person as given in **paragraph 3** above. A form for use is added to this manual.

6. Access Fees

In terms of Chapter 3, Section 54 of the Act, unless it is a ***personal request**, a request fee will be levied as prescribed before any further processing is made.

**A personal request means a requester seeking access to a record containing personal information that concerns them.*

7. Deposit

In terms of section 54 (2) of the Act, OUTvest may require a deposit in cases where searching for the record exceeds 6 hours. The deposit will represent one third of the access fee payable by the requester.

8. Procedure to request a record

The following is the basic procedure to be followed when requesting a record.

1. The attached application form must be completed providing as much detail as possible.
2. OUTvest will only process your application if it is received on the prescribed form.
3. When completing the form:
 - a) Provide your full personal and contact details;
 - b) If you are acting on behalf of another person, state in what capacity, for example, legal guardian, next of kin etc. Note that proof of capacity must be attached;
 - c) If you are making the request on behalf of another person, you must provide that person's full names and identity number;
 - d) Provide a detailed description of the record required providing any reference numbers if possible;
 - e) If the request is for a record other than a record containing personal information about you, then prescribed fees are payable. Should you qualify for exemption full details must be provided;
 - f) If you are unable to read, view or listen to the record requested due to disability, you must provide details of your disability and, in what form we must supply the record to you;
 - g) Mark with an (X) the appropriate record type option as provided on the form i.e., written, visual, audio or data that you require;
 - h) The "right" to be exercised or protected by you must be detailed as well as the reason for exercising or protecting this right;
 - i) The form must be dated and signed in the places provided for this purpose
4. Once you have completed the application form it must be posted to, the Information.
5. Officer at the address given on the form or, faxed/e-mailed/delivered to the offices of OUTvest as provided in the manual.
6. On receipt of your application, the Information Officer at OUTvest will make a decision based on the information provided.
7. You will receive a written notification based on the decision made and advising you further.

Please note that all attachments/additional folios that you add to the form must be signed by you.

9. Record types that may be requested

Subject and category of records that can be requested	
Subject on which the body holds records	Categories of records
Company information	Annual reports Financial reports Statutory records Company incorporation documents Memorandum of Incorporation
Tax related information	Income tax information Pay-as-you-earn (PAYE) records Employee Tax records Value Added Tax records
Staff related information	Unemployment Insurance Fund Labour relations records Personnel documents and records
Finance related information	Personal Records or Information Invoices
Client and policy information	Personal Records or Information Sales Records Client Care Records Claim Records

**The Information officer will consider all requests in line with paragraph 5 of the manual to decide whether access to any of the information stated above should be given to the requester.*

10. Records that cannot be found or do not exist

In terms of Chapter 3, Section 55 of the Act, OUTvest will after all reasonable steps have been taken to find the record requested, notify the requester as prescribed by affidavit or affirmation should the record not be found or does not exist.

11. Protection of personal information

- 11.1** The Protection of Personal Information Act provides for the lawful processing of personal information by a Responsible Party subject to the following conditions: Accountability, Processing Limitation, Purpose specific, Further Processing Limitations, Information Quality and Openness, Security Safeguards and Data Subject Participation.
- 11.2** OUTvest is required to process personal information in order to conduct its business operations specifically within the insurance and financial services sectors. For the purposes of POPIA, OUTvest is a Responsible Party as it determines the purpose of and means for processing personal information.
- 11.3** OUTvest undertakes:
- to process personal information lawfully and in a transparent manner;
 - to process personal information only for the purpose for which it was collected;
 - not to subject the personal information to further processing unless it is compatible with the purpose for which it was collected;
 - to ensure that personal information which is processed is complete, accurate, not misleading and is where necessary, updated;
 - To not retain the personal information for a period longer than what is necessary;
 - To ensure that the integrity and confidentiality of personal information under its possession is secured by taking appropriate, reasonable technical and organisation measures to prevent loss, damage, unauthorised destruction or unlawful access to or processing of personal information,
 - To process personal information in accordance with the rights of Data Subjects as provided for in POPIA which include:
 - i) to be notified that their personal information has been collected by OUTvest;
 - ii) being notified whether their personal information has been accessed or acquired by an unauthorised person;

- iii) to know if OUTvest holds any of his/her personal information and to access that information which requests for access must be made in accordance with this Manual;
- iv) request the deletion or correction of their personal information;
- v) to object, on reasonable grounds relating to their particular situation to the processing of their personal information as provided for in Section 11(3)(a) of POPIA;
- vi) object to process of their personal information for the purposes of direct marketing;
- vii) submit a complaint to the Information Regulator;
- viii) to institute civil proceedings regarding the alleged interference with the protection of their personal information

11.4 OUTvest may only process information for specific purposes which purposes are for the provision of insurance and financial services. This includes processing information for the purposes of reporting to Industry and Regulatory Bodies which include by are not limited to, The Financial Sector Conduct Authority, Prudential Authority, Information Regulator, The South African Insurance Crime Bureau, Credit Bureaux's and law enforcement agencies,

11.5 OUTvest processes personal information of various categories of Data Subjects which include both juristic and natural persons. This includes, however might not be limited to, the following:

Natural Persons (Clients):

Name, ID/passport country and number, age, gender, date of birth, contact numbers, email and residential address, nationality, country of birth and residence, financial details, tax information, bank details, source of funds, income, expenses, liabilities, savings, details of beneficiaries or dependants, investment objectives and goals, details of other investment or retirement information or financial products, retirement date and age, identification and other verification data, where applicable, such as a copy of ID or passports, birth certificate, marriage certificate, proof of residence, beneficial ownership, death certificate, medical opinions or certificates, certificate of divorce (including religious beliefs for purposes of marriage laws).

Natural Persons (Employees)

Name and surname, identity or passport numbers, financial history, employment history, banking details, medical aid records, medical history and conditions, pension and provident fund details, salary information, performance records, disciplinary records, leave records, training records, qualifications, spouses information, contact numbers, e-mail address, physical and postal address, vehicle registration details, ethnic group, gender, marital status, disabilities, biometric information, criminal background.

Juristic Persons:

Company and Trust incorporation documents, registration numbers, company name and trading name, employee details, contact persons, directors or members details, nature of business, contact details, physical and postal address, e-mail address, financial information, claims history, BBEEE Certificates, Banking details.

11.6 OUTvest may provide a Data Subjects personal information to a number of third parties for the purposes of conducting its business operations. These third parties include regulatory bodies, credit bureaux's, law enforcement agencies, third party service providers, payment system providers, external auditors, subsidiaries or related or inter-related persons

11.7 OUTvest may transmit a Data Subjects personal information to entities outside of the Republic of South Africa which personal information may be stored in data servers outside of South Africa. OUTvest will endeavour to ensure that any countries in which Data Subjects personal information is stored has similar or adequate data protection laws.

11.8 We value the privacy of your information and take reasonable steps to protect your personal information from loss, misuse or unauthorised alteration and/or access. The information we maintain concerning our customers, all our employees and potential job applicants is stored in databases that have built-in safeguards to ensure the privacy and confidentiality of that information. OUTvest uses state of the art technology, anti-virus, firewalls, password protection, security monitoring/ scanning and encryption to prevent any unauthorised access to your personal information. We keep up to date with latest global developments in security technology to ensure that your transactions and personal information stored with us is adequately secured and protected at all times.

11.9 Data Subject are entitled to object, at any time, to the processing of their personal information subject to any exceptions set out in POPIA. Objections must be completed in the prescribed form attached hereto as Annexure 1.

11.10 Data Subjects may, subject to any exceptions set out in POPIA, request the correction or deletion of their personal information. The request for correction or deletion must be completed and submitted in the prescribed form attached hereto as Annexure 2.

12. Decision on request and notice thereof

In terms of Chapter 3, Section 56 of the Act, OUTvest will respond to the request as soon as possible within 30 days as per the provisions prescribed and notify the requester of the decision made.

13. Grounds for refusal of access to records

In terms of Chapter 4 of the Act, OUTvest reserves its right to refuse and/or grant access to records in accordance with the sections and subsections of this chapter.

14. Third party notification and intervention

In terms of Chapter 5 of the Act and its sections and sub-sections, OUTvest will take all reasonable steps to inform a third party of a request received that pertains to them in the manner so prescribed in this chapter.

15. Information regulator of South Africa PAIA guide

The guidelines on how to use the Promotion of Access to Information Act 2 of 2000, as amended, which will assist a person on how to access his/her personal information is available via the link below:

[PAIA Guidelines - Information Regulator \(info regulator.org.za\)](http://info regulator.org.za)

16. Records available in accordance with other legislation

The requester may request information that is available in terms of legislation, such as the following:

1. Records relating to personnel may be requested in terms of this legislation:
 - Basic Conditions of Employment Act 75 of 1997
 - Broad-Based Black Economic Empowerment Act 53 of 2003
 - Compensation for Occupational Injuries and Disease Act 130 of 1993
 - Employment Equity Act 55 of 1998
 - Labour Relations Act 66 of 1995
 - Occupational Health and Safety Act 85 of 1993
 - Skills Development Act 97 of 1998
 - Unemployment Insurance Act 63 of 2001
 - Unemployment Insurance Contributions Act 4 of 2002
 - The Financial Advisory and Intermediary Services Act 37 of 2002
2. Records relating to company reporting and Company related records as far as is allowed in terms of these Acts may be requested:
 - Companies Act 71 of 2008
 - Short-term Insurance Act 53 of 1998
 - Long-term Insurance Act 52 of 1998
 - Financial Markets Control Act 55 of 1989
 - Insurance Act 18 of 2017
 - Copyright, Intellectual Property and Trademarks
 - Copyright Act 98 of 1978
 - Intellectual Property Laws Amendment Act 38 of 1997
 - Intellectual Property Laws Amendment Act 28 of 2013
 - Trade Marks Act 194 of 1993
3. Records relating to tax, employees and the company may be requested in terms of these Acts:
 - Income Tax Act 58 of 1962
 - Tax Administration Act 28 of 2011
 - Value Added Tax Act 89 of 1991
 - Administration of Estates Act 66 of 1965
 - Insolvency Act 24 of 1936

4. Records relating to the prevention of corruption and organised crime may be requested in terms of these Acts:
- Prevention & Combating of Corrupt Activities Act 12 of 2004
 - Prevention of Organised Crime Act 121 of 1998
 - Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
 - Financial Intelligence Centre Act 38 of 2001
 - Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002

The Information officer will consider all requests in line with paragraph 5 of the manual to decide whether access to any of the information stated above should be given to the requester.

17. Access form

Request for access to a 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: **The Information Officer**
 OUTsurance Insurance Company Limited
 PO Box 8443
 Centurion
 0046

E-mail: informationofficer@out.co.za

Mark the appropriate box with an ✓

- Request is made in my own name Request is made on behalf of another person.

Personal information

Full names and surname _____

Identity number _____

Capacity in which request is made, when made on behalf of another person _____

Postal address _____
 _____ Postal code _____

Street address _____
 _____ Area code _____

Email _____

Telephone number _____ Fax number _____

Cellular _____

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

Identity number _____

Postal address _____
 _____ Postal code _____

Street address _____
 _____ Area code _____

Email _____

Telephone number _____ Fax number _____

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 appropriate box with an ✓)

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"/>

Form of access

(Mark the appropriate box with an ✓)

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

Manner of access

(Mark the appropriate box with an ✓)

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)	<input type="checkbox"/>
Postal services to postal address	<input type="checkbox"/>
Postal services to street address	<input type="checkbox"/>
Courier service to street address	<input type="checkbox"/>
Facsimile of information in written or printed format (including transcriptions)	<input type="checkbox"/>
E-mail of information (including soundtracks if possible)	<input type="checkbox"/>
Cloud share/file transfer	<input type="checkbox"/>
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) _____	

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 said 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

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 (Please specify) _____

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

18. Annexure 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]

To: **The Information Officer**
OUTvest (Pty) Limited
PO Box 8443
Centurion
0046

Note

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

Details of the data subject

Full names and surname / registered name of data subject _____
Unique identifier / Identity number _____
Telephone number _____ Fax number _____
Email _____
Residential, postal or business address _____
_____ Code _____

Details of responsible party

Full names and surname / registered name of responsible party _____
Telephone number _____ Fax number _____
Email _____
Residential, postal or business address _____
_____ Code _____

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 requester / person on behalf of requester

19. Annexure 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]

To: **The Information Officer**
OUTvest (Pty) Limited
PO Box 8443
Centurion
0046

Note

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

Details of the data subject

Full names and surname / registered name of data subject _____

Unique identifier / Identity number _____

Telephone number _____ Fax number _____

Email _____

Residential, postal or business address _____

_____ Code _____

Details of responsible party

Full names and surname / registered name of responsible party _____

Telephone number _____ Fax number _____

Email _____

Residential, postal or business address _____

_____ Code _____

Form continues next page

Information to be corrected/deleted/destroyed/destroyed

[Empty box for information to be corrected/deleted/destroyed/destroyed]

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
- 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 objection

[Empty box for detailed reasons for the objection]

Signed at _____ this ____ day of _____ 20 ____

Signature of requester / person on behalf of requester