

## Access to Information manual

Prepared in terms of Section 51 of The Promotion of Access to Information Act 2 of 2000 (the “Act”)

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### **Directors**

LS Bothma  
MA Botha  
WP van Huyssteen



### **Address**

PO Box 50030  
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1683



### **Contact**

tel: 010 001 2602  
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## **Part 1:**

### **About our business and our relevant contact detail:**

#### **Introduction of our business:**

FSP Solutions (PTY) Ltd conducts business as an insurance administrator for certain insurance companies.

We also provide leading technology as a multiple product Platform provider for licensed intermediaries in South Africa. Through the Platform, we aggregate benefits to various stakeholders in the value chain through multiple products, efficiencies, enhanced compliance and other.

**FSP FAIS license number:** 7889

**Website:** [www.fspsolutions.com](http://www.fspsolutions.com)

#### **Physical Address of FSP Solutions:**

Porta Nova building Gazelle Close, Corporate Park South, Midrand, Gauteng.

#### **Postal Address of FSP Solutions:**

P O Box 50030 Randjesfontein, Gauteng, 1683



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**Telephone number:** 010 001 2602

**Email address of CEO of FSP Solutions:** [lucas@fspolutions.com](mailto:lucas@fspolutions.com)

**Email address of Information Officer:** [retha@fspolutions.com](mailto:retha@fspolutions.com)

## **Part 2:**

### **THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION'S GUIDE ON HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT:**

The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights.

The Guide is available from the SAHRC.



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**Contact details of the Commission:**

Private Bag 2700, Houghton, 2041

Telephone Number:

+27-11-877 3600

Fax Number:

+27-11-403 0625

Website:

[www.sahrc.org.za](http://www.sahrc.org.za)

**Part 3****Records available in terms of other legislation:**

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

- Basic Conditions of Employment Act
- Companies Act
- Compensation for Occupational Injuries & Diseases Act
- Employment Equity Act
- National Credit Act
- Pension Funds Act
- Financial Services Board Act
- Income Tax Act
- Labor Relations Act
- Unemployment Insurance Act

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- Long Term Insurance Act
- Occupational Health And Safety Act
- Promotion of Equality and Prevention of Unfair Discrimination Act
- Electronic Communications and Transactions Act
- Short Term Insurance Act
- Skills Development Act
- Skills Development Levies Act
- South African Qualifications Authority
- VAT Act
- Financial Intelligence Centre Act
- Financial Advisory and Intermediary Services Act
- Protection of Constitutional Democracy Against Terrorist and related Activities Act.

## **TYPES OF RECORDS:**

**The following records of the company are available on request:**

Personnel Records:

☐ Personal staff records

☐ Salary records

☐ Conditions of employment and other personnel-related contractual legal records

☐ UIF records



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- ☐ Tax records
- ☐ Leave records
- ☐ Training schedules and material

Customer-Related Records:

- ☐ Records pertaining to customers/clients
- ☐ Records pertaining to transactions

Financial Records:

- ☐ Management reports
- ☐ VAT returns
- ☐ Income tax returns and assessments
- ☐ Invoices
- ☐ Receipts
- ☐ Regional Services Council returns
- ☐ SETA returns

Company Information:

- ☐ Operational records
- ☐ Databases
- ☐ Information technology
- ☐ Marketing records
- ☐ Internal correspondence
- ☐ Product records
- ☐ Statutory records
- ☐ Internal policies and procedures



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- ☐ Compliance records
- ☐ Securities and equities
- ☐ Records held by officials
- ☐ Shareholder records
- ☐ Board members
- ☐ Incorporation documents
- ☐ Minutes of meetings
- ☐ Share allotment register
- ☐ Company resolutions and statutory company documentation

**Other Parties:**

- ☐ Contractors
- ☐ Suppliers
- ☐ Auditors
- ☐ Attorneys
- ☐ Joint ventures
- ☐ Administrators

## **PART 4**

### **HOW TO REQUEST INFORMATION**

1. Complete (form B) as included in this manual.
2. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
3. If a request is made on behalf of another person, then the requester must



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submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.

4. Submit form to the Information Officer at the postal or physical address, fax number or electronic mail address as stated in Part 1 above.

5. The requester must pay the prescribed fee before any further processing can take place.

6. FSP Solutions will process the request within 30 days, unless the requestor has stated special reasons, which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

7. Records held by the institution may be accessed by requests only. This once the requirements for access have been met.

A requester is any person making a request for access to a record of the institution.

### **There are two types of requesters:**

#### **Personal Requester:**

A person seeking access to a record containing personal information about him, her or itself.

#### **Other Requester:**

This person is entitled to request access to information on third parties.



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However, FSP Solutions is not obliged to voluntarily grant access.

## **PART 5**

### **FEES**

The Act provides for two types of fees:

1. A request fee, which will be a standard fee
2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

When the Information Officer receives the request, he/she shall notify the requester to pay the prescribed request fee (if any), before further processing of the request. The information officer may withhold a record until the requester has paid the fees. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

## **PART 6**

### **REFUSAL TO GRANT ACCESS TO RECORDS**

FSP Solutions will, within 30 days of receipt of the request, decide whether



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to grant or decline the request and give notice with reasons (if required) to that effect. The 30-day period with which FSP Solutions has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information, or the request requires a search for information held at another office of FSP Solutions, and the information cannot reasonably be obtained within the original 30 day period.

FSP Solutions will notify the requester in writing should an extension be required.

The main grounds to refuse a request for information are:

1. Mandatory protection of privacy of a third party who is a natural person, which would involve unreasonable disclosure of personal information of that natural person;
2. Mandatory protection of the commercial information of a third party, if the record contains trade secrets of that third party; financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party; information disclosed in confidence by a third party to the institution, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
3. Mandatory protection of confidential information of third parties if it



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is protected in terms of any agreement;

4. Mandatory protection of the safety of individuals and the protection of property;
5. Mandatory protection of records, which would be regarded as privileged in legal proceedings;
6. The commercial activities of the institution, which may include trade secrets of the institution; financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the institution; information which, if disclosed could put the institution at a disadvantage in negotiations or commercial competition; a computer program which is owned by the institution, and which is protected by copyright; the research information of the institution or a third party, if its 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;
7. Requests for information that are clearly frivolous or vexation, or which involve an unreasonable diversion of resources shall be refused.



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## PART 7

### AVAILABILITY OF THE MANUAL

The FSP Solutions Information Manual is made available in terms of Regulation.

The manual will also be available on the website at [www.fspolutions.com](http://www.fspolutions.com)



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**FORM B**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
**(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)**  
**(Regulation 10)**

**A. Particulars of private body**

The Information Officer:

**B. Particulars of person requesting access to the record**

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

**C. Particulars of person on whose behalf request is made**

This section must be completed *ONLY* if a request *for information* is made on behalf of *another* person.

Full names and surname:

Identity number:

**D. Particulars of record**

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.



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

**E. Fees**

- (a) A request for access to a record, other *than* a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be *notified of* the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record if required.

Disability:	Form in which record is required:
Form in which record is required:	
Mark the appropriate box with an X.	
NOTES: <ul style="list-style-type: none"><li>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</li><li>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</li><li>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</li></ul>	



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

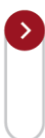
**G. Particulars of right to be exercised or protected**

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

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise of protection of the aforementioned right:

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**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at ..... This ..... day of .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE



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