

MANUAL

for the

PROMOTION OF ACCESS TO INFORMATION ACT,

NO. 2 OF 2000

for

**Sanlam Investment Holdings Ltd and its associated
companies and subsidiaries as contained in Appendix
A attached hereto.**

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1. INTRODUCTION

1.1 Background

The Promotion of Access to Information Act, No 2 of 2000 (“the Act”) was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must Not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 Purpose of the manual

This manual is intended to foster a culture of transparency and accountability within Sanlam Investment Holdings Ltd, its associated companies and subsidiaries (hereinafter referred to as “SIH”), by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

In order to promote effective governance, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but Not limited to:

- ❑ limitations aimed at the reasonable protection of privacy;
- ❑ commercial confidentiality; and
- ❑ effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual sets out to provide a manual to SIH to deal with the requests in a conforming manner, which will enable the requesters to obtain the records which they are entitled to in a quick, easy and accessible manner.

PART I

2. CONTACT DETAILS

2.1 Information Officer: Mbuso Mtshali

Postal address: Private Bag X 8
Tygervalley
7536

Physical address: Sanlam Investment Management
55 Willie van Schoor Avenue
Tygervalley
7530

Tel: (021) 950 2144

Fax: (021) 950 2978

E-mail: MbusoM@sanlaminvestments.com

2.2 Deputy Information Officer: Rajesh Mohan Jeevin Sukha

Postal address: Private Bag X 8
Tygervalley
7536

Physical address: Sanlam Investment Management
55 Willie van Schoor Avenue
Tygervalley
7530

Tel: (021) 950 2743

Fax: (021) 950 2978

E-mail: RajeshS@sanlaminvestments.com

The Information Officer and the Deputy Information Officer can also be contacted at the details below:

2.3 General Information

2.3.1 Name of Private Body: Sanlam Investment Management

2.3.2 Postal address: Private Bag X8,
Tygervalley 7536

2.3.3 Physical address (or main place of business):
Sanlam Investment Management
55 Willie van Schoor Avenue
Tygervalley, 7530

2.3.4 Tel: (021) 950 2510

2.3.5 Fax: (021) 950 2978

PART II

3. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Guide on how to use the Act. Any enquiries regarding the guide contemplated in Section 10 of the Act should be directed to:

The South African HUMAN RIGHTS COMMISSION

At PAIA Unit (THE RESEARCH AND DOCUMENTATION DEPARTMENT)

Postal address: Private Bag X2700, HOUGHTON, 2041

Telephone number: (011) 877 3600

Facsimile number: (011) 403 0625

Website: www.sahrc.org.za

E-mail address: info@sahrc.org.za

Twitter: @SAHRComission

FacebookSAhumanrightscommission

YouTube: SAHRC1

PART III

3.1 Records of SIH

This clause serves as a reference to the records that SIH hold in order to facilitate a request in terms of the Act.

The information is classified and grouped according to records relating to the following subjects and categories:

It is recorded that the accessibility of the documents listed herein below, may be subject to the grounds for refusal set out hereinafter.

3.1.1 Staff records

- Personal records provided by staff;
- Records provided by a third party relating to staff;
- Conditions of employment and other staff-related contractual and *quasi*-legal records;
- Internal evaluation records and other internal records;
- Correspondence relating to staff;
- Training schedules and material.

“*Staff*” refers to any person who works for, or provides services to or on behalf of the institution, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of SIH. This includes, without limitation, directors (executive and Non-executive), all permanent, temporary and part-time staff, as well as contract workers.

3.1.2 Client related records

- Records provided by a client to a third party acting on behalf of SIH;
- Records provided by a third party;
- Records generated by or within SIH pertaining to its clients, including transactional records.

A “*client*” refers to any natural or juristic entity that receives services from SIH.

3.1.3 Private body records

- Financial records;
- Operational records;
- Databases;
- Information technology;
- Marketing records;
- Internal correspondence;

- Product records;
- Statutory records;
- Internal policies and procedures;
- Treasury-related records;
- Securities and Equities, and
- Records held by officials of SIH.

These records include, but are Not limited to, the records which pertain to SIH's own affairs.

3.2 Other party records

- Staff, client or private body records which are held by another party, as opposed to the records held by SIH itself;
- Records held by SIH pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about the contractors/suppliers.

SIH may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/ holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records that can be said to belong to SIH.

PART IV

4. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for SIH to refuse a request for information relates to the –

- 4.1** mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- 4.2** mandatory protection of the commercial information of a third party, if the record contains:
 - 4.2.1** trade secrets of that third party

- 4.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 4.2.3 information disclosed in confidence by a third party to SIH, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 4.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 4.4 mandatory protection of the safety of individuals and the protection of property;
- 4.5 mandatory protection of records, which would be regarded as privileged in legal proceedings;
- 4.6 the commercial activities of SIH, which may include:
 - 4.6.1 trade secrets of SIH;
 - 4.6.2 financial, commercial, scientific or technical information, which disclosure could likely cause harm to the financial or commercial interests of SIH;
 - 4.6.3 information, which if disclosed, could put SIH at a disadvantage in negotiations or commercial competition;
 - 4.6.4 a computer program which is owned by SIH, and which is protected by copyright;
- 4.7 the research information of SIH or a third party, if its disclosure would disclose the identity of SIH, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

5. REMEDIES AVAILABLE WHEN SIH REFUSES A REQUEST FOR INFORMATION

5.1 Internal Remedies

If the Information Officer refuses access to the requested information, the Head of Risk or any member of the Executive Committee can be consulted and must agree before such decision becomes final. Any other decision made by the information officer is final and requesters will have to exercise such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the Information Officer.

5.2 External Remedies

A requester that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of Notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of Notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

6. REQUEST PROCEDURE

6.1 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

6.2 The requester must complete the prescribed form enclosed herewith in Appendix 1 and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as stated in 2.1 or 2.2 above.

6.3 The prescribed form must be completed with enough particularity to at least enable the Information Officer to identify:

- the record or records requested;
- the identity of the requester;
- which form of access is required, if the request is granted;
- the postal address or fax number of the requester.

- 6.4** The requester must state that he requires the information in **order to exercise or protect a right and clearly state what the nature of the right is to so be exercised or protected**. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 6.5** The institution will process the request within 30 days, unless the requester has staged special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods should Not be complied with.
- 6.6** The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.
- 6.7** If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.
- 6.8** If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 6.9** The requester must pay the prescribed fee, before any further processing can take place.

7. ACCESS TO RECORDS HELD BY SIH

7.1 Records held by SIH may be accessed by requests only once the prerequisite requirements for access have been met.

7.2 A requester is any person making a request for access to a record of SIH. There are two types of requesters:

7.2.1 Personal requester

- A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- SIH will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

7.2.2 Other requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, the institution is Not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

8. FEES

- 8.1** The Act provides for two types of fees, namely:
- 8.1.1** A request fee, which will be a standard fee; and
 - 8.1.2** An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 8.2** When the request is received by the Information Officer, such officer shall by Notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- 8.3** If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall Notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 8.4** The Information Officer shall withhold a record until the requester has paid the fees as indicated in Appendix 2.
- 8.5** A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 8.6** 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.

9. DECISION

- 9.1** SIH will, within 30 days of receipt of the request, decide whether to grant or decline the request and give Notice with reasons (if required) to that effect.
- 9.2** The 30 day period within which the institution 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 amount of information, or the request requires a search for information held at another office of the institution and the information cannot reasonably be obtained within the original 30 day period. The institution will Notify the requester in writing should an extension be sought.

10. Procedure for records that cannot be found or do Not exist

- 10.1** If all reasonable steps have been taken to find a record requested and it cannot be found or does Not exist the Information officer needs to do the following:
- 10.1.1** Write and affidavit or affirmation Notifying the requester that it's Not possible to give access to that record
 - 10.1.2** The affidavit or affirmation must give a full account of all the steps taken to find the record in question or
 - 10.1.3** To determine whether the record actually exist
 - 10.1.4** It should include all the communication with every person who conducted the search on behalf of the Information Officer

11. LIST OF APPLICABLE LEGISLATION

A table of legislation setting out a description of the records of SIH which are available in accordance with other legislation is annexed hereto marked "Appendix 3".

12. AVAILABILITY OF THE MANUAL

- 12.1.1** This manual is made available in terms of Regulation Number R.187 of 15 February 2002.

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)

(Regulation 4)

A. Particulars of private body

The Head: _____

B. Particulars of person requesting access to the record

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

Full name and surname: _____

Identity number: _____

Postal address: _____

Tel No: _____ Fax No: _____

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 name 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.***

1. Description of the record or relevant part of the record:

2. Reference number, if available: _____

3. Any further particulars of the 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 of the request fee.*

c) *The fee payable for access to a record depends on the form in which the 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 therefore.*

1. Reason for exemption of payment of the fee:

F. Form of Access to the 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 is required.

Disability:	Form in which record is required:
_____	_____
_____	_____
_____	_____

Mark the appropriate box with an "X"

NOTES:

a) *Your indication as to the required form of access depends on the form in which the record is available.*

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.*

c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

1. If the record is in written or printed form:			
	Copy of record*		Inspection of record

2. If the record consists of visual images: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the images		Copy of the images*
			Transcription of the images*

3. If the record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)

4. If the record is held on computer or in an electronic or machine-readable form: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	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? A postal fee 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 requested record is required for the exercising or protection of the aforementioned right:

H. Notice of decision regarding request for access:

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

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

Signed at _____ on this _____ day of _____ 200__

**SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF
REQUEST IS MADE**

REPRODUCTION FEES

The only charge that may be levied for obtaining records will be a fee for reproduction of the record in question.

The applicable fees for reproduction as referred to above are:

	R
<input type="checkbox"/> For every photocopy of an A4-size page or part thereof	1,10
<input type="checkbox"/> For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
<input type="checkbox"/> For a copy in a computer-readable form on	
<input type="checkbox"/> Compact disc	70,00
<input type="checkbox"/> A transcription of visual images, for an A4-size page or part thereof	40,00
<input type="checkbox"/> For a copy of visual images	60,00
<input type="checkbox"/> A transcription of an audio record, for an A4-size page or part thereof	20,00
<input type="checkbox"/> For a copy of an audio record	30,00

Request Fees:

Where a requester submits a request for access to information held by SIH on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request received.

Access Fees:

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specifically excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54(8).

The applicable access fees which will be payable are:

	R
<input type="checkbox"/> For every photocopy of an A4-size page or part thereof	1,10
<input type="checkbox"/> For every printed copy of an A4-size page or part thereof held on a	0,75

computer or in electronic or machine readable form

- ❑ For a copy in a computer-readable form on
 - Compact disc 70,00
- ❑ A transcription of visual images, for an A4-size page or part thereof 40,00
- ❑ For a copy of visual images 60,00
- ❑ A transcription of an audio record, for an A4-size page or part thereof 20,00
- ❑ For a copy of an audio record 30,00
- ❑ To search for a record that must be disclosed or part of an hour 30,00p/h
reasonably required for such search

Where a copy of a record needs to be posted, the actual postal fee is payable.

Deposits:

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to one third of the amount of the applicable access fee.

NOTE: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.

4. **APPLICABLE LEGISLATION**

<u>No</u>	<u>Ref</u>	<u>Act</u>
1.	No 71 of 2008	Companies Act
2.	No 130 of 1993	Compensation for Occupational Injuries and Diseases Act
3.	No 89 of 1998	Competition Act
4.	No 108 of 1996	Constitution of South Africa
5.	No 98 of 1978	Copyright Act
6.	No 51 of 1977	Criminal procedures Act
7.	No 55 of 1998	Employment Equity Act
8.	No 38 of 2001	Financial Intelligence Centre Act
9.	No 60 of 2000	Firearms Control Act
10.	No. 58 of 1962	Income Tax Act
11.	No 80 of 1998	Inspection of Financial Institutions Act
12.	No 66 of 1995	Labour Relations Act
13.	No 89 of 1991	Value Added Tax Act
14.	No 37 of 2002	Financial Advisory and Intermediary Services Act
15.	No 75 of 1997	Basic Conditions of Employment Act
16.	No 68 of 2008	Consumer Protection Act
17.	No 25 of 2002	Electronic Communications and Transactions Act
18.	No 2 of 2000	Promotion of Access to Information Act
19.	No. 63 of 2001	Unemployment Insurance Act
21.	No 9 of 1999	Skills development Levies Act
23.	No 109 of 1985	Regional Services Councils Act
24.	No 24 of 1956	Pension Funds Act
25.	No. 34 of 2005	The National Credit Act

APPENDIX A

The following juristic person are deemed associates or subsidiaries of Sanlam Investment Holdings (Pty) Ltd (1998/022648/07):

- 1) Sanlam Investment Management (Pty) Ltd (1967/011973/07)
(associate)
- 2) Sanlam Multi Manager International (Pty) Ltd (2002/030939/07)
(subsidiary)
- 3) Graviton Wealth Management (Pty) Ltd (2000/029158/07)
(subsidiary)
- 4) Cognitio Investments (Pty) Ltd (2010/023310/07)
(subsidiary)
- 5) Satrix Managers (RF) (Pty) Ltd (2004/009205/07)
(subsidiary)
- 6) Graviton Financial partners (Pty) Ltd (1998/025253/07)
(subsidiary)
- 7) Sanlam Collective Investments (RF) (Pty) Ltd (1967/002865/07)
(subsidiary)
- 8) Radius Administrative Services (Pty) Ltd (2011/006611/07)
(subsidiary)
- 9) Blue Ink Investments (Pty) Ltd (1995/003170/07)
(subsidiary)
- 10) Blue Ink-Ubator (Pty) Ltd (2005/014670/07)
(subsidiary)