

PROTECTION OF PERSONAL INFORMATION MANUAL

The Promotion of Access to Information

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000

1. INTRODUCTION

The Promotion to Access to Information Act, No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public (government) or private (non-government) bodies that is required for the exercise of protection of any rights. Where a request is made in terms of the Act, Envestpro is obliged to release the information, **except where the Act expressly provides that the information may or must not be released.**

This manual informs requesters of procedural and other requirements which a request must meet as prescribed by the Act. It is important to note that the Act recognises certain limitations to the right of access to information, including but not limited to, limitations aimed at 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 information manual is in respect of Envestpro (Pty) Ltd including all affiliated subsidiaries and associated juristic persons, hereinafter referred to as “Envestpro”.

2. AVAILABILITY OF THIS MANUAL

You, the requester, can access this Manual on our website (www.envestpro.co.za) or by requesting a copy by e-mail from the Information Officer as provided for in paragraph 4 below.

3. REQUESTS FOR INFORMATION

You may submit your request for information records to the Information Officer as provided for in paragraph 4 below. It is recommended that you read this manual first, before submitting any requests in order to comply with the requirements.

4. INFORMATION OFFICER CONTACT DETAILS

INFORMATION OFFICER

Postal Address: Carlswald Close Office Park
Block A
Cnr &th & New Roads
Carlswald
Midrand
1684
Tel: +27 11 513 2500
E-mail: i.koch@liblink.co.za

PARTICULARS OF THE PRIVATE BODY

Information required under section 51(1)(a) of the Act:

Name of the Body

Envestpro (Pty) Ltd

Head of the Body (Information Officer)

Stefan Deruyter

Deputy Information Officer

Ian Koch

Postal Address

Carlswald Close Office Park
Block A
Cnr &th & New Roads
Carlswald
1684

Street Address

Carlswald Close Office Park
Block A
Cnr &th & New Roads
Carlswald
1684

Telephone Number

+27 11 513 2500

Fax Number

n/a

Web Address

www.envestpro.co.za

GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The South African Human Rights Commission is required in terms of the Act to compile a guide in every official language, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act.

Any enquiries regarding this guide should be directed to:

Postal Address:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag X2700
HOUGHTON
2041

Telephone Number:

+27 (0) 11 484 8300

Fax Number:

+27 (0) 11 484 0582

Email Address:

paia@sahrc.org.za

Website:

<http://www.sahrc.org.za>

5. ENVESTPRO PRIVACY PRACTICES

5.1 We collect personal or other information to:

- Meet our responsibilities to customers, employees and other natural or juristic persons;
- Follow your instructions;
- Inform you of new services; and
- Make sure our business suits your needs.

5.2 Personal information may be received from or provided to:

- any regulatory authority (like the Financial Services Conduct Authority) and the regulators they appoint for the various financial sectors;
- comply with any regulation passed under the relevant legislation, or any legal process;
- protect and defend ENV's rights and property (including ENV's intellectual property);
- protect public interest;
- Brokers / advisers / intermediaries;
- Affiliated and or associated companies, including ENV Group Limited & STANLIB Limited and/or Standard Bank Group;
- Third party service providers in order to uphold contractual obligations and or service customers.
- Digital storage platforms including but not limited to, Google OneDrive, Apple iCloud, Dropbox.

5.3 Trans border information flows

ENV may share with or receive personal information from parties as set out above, where these parties reside outside of the Republic of South Africa. All operations are required to abide by ENV's policies, procedures and guidelines, regardless of legislative requirements for data protection in these countries. Such countries include:

Lesotho
Swaziland
Namibia
Botswana
Tanzania
Kenya
Uganda
South Sudan
Ghana
Nigeria
Zambia

We are committed and obliged to implement all reasonable controls to safeguard access to your personal information. Where third parties are required to process your personal information in relation to the purposes set out in this manual and for other legal requirements, we ensure that they are contractually bound to apply the appropriate security practices.

5.4 Contracted Employee / independently contracted financial advisors associated with ENV / privately employed individuals contracted by financial advisors, personal information may be received from or provided to:

- Pension / provident funds and/or their trustees;
- Medical aid funds;
- Recruitment companies;
- Credit bureaux;

5.5 Our security practices

- We are committed and obliged to implement all reasonable controls to safeguard access to your personal information.
- Where third parties are required to process your personal information in relation to the purposes set out in this manual and for other legal requirements, we ensure that they are contractually bound to apply the appropriate security practices.

6. TYPES OF RECORDS HELD BY ENVESTPRO

ENV maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

6.1 Type of personal information held by ENV

Categories of data subject	Categories of information held
Customers including policy holders / investors / beneficiaries / trustees / life assured / claimants / guardians	Includes relevant personal information or special personal information as defined by the Protection of Personal Information Act, No. 04 of 2013, such as name, South African identity number or other identifying number (e.g. passport), date of birth, citizenship, telephone number(s), email address(es), income tax numbers, physical and postal addresses, financial information (e.g. fund or portfolio details), banking information (including account numbers), health information. For juristic persons: entity name, registration number, income tax number, tax information, contact details for representative persons. FICA documentation used to verify identity and details of customer.
Advisers / brokers / ENV entrepreneurs executors / agents of executors	Includes licence numbers, physical addresses, contact details, compliance officer details.
Directors	ID numbers, name, financial information as required for statutory reporting.
Employees	Includes ID number, contact details, physical and postal address, date of birth, age, marital status, race, disability information, employment history, criminal / background checks, fingerprints, CVs, education history, banking details, income tax reference number, remuneration and benefit information (including medical aid, pension / provident fund information), details related to employee performance, disciplinary procedures. <i>“Employee” refers to any person who works for or provides services to or on behalf of ENV and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting any work or services for ENV. This includes, without limitation, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers.</i>
Consultants / contractors	Dependent on the nature of the consultant or contractor, but may include any details under “Employees” or “Service Providers” categories.

Service Providers, including outsourced / hosted services, auditors	Includes company registration details, income tax and VAT registration details, BEE certificates, payment details including bank accounts, invoices, contractual agreements, addresses, contact details, any records a third party has provided to ENV; and Records generated by or within ENV pertaining to work or services, including transactional records.
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6.2 Other Parties

Records are kept in respect of other parties, including without limitation contractors, suppliers, departments, service providers. Alternatively, such other parties may possess records which can be said to belong to ENV. The following records fall under this category:

- Employee, work or service related records which are held by another party as opposed to being held by ENV; and
- Records held by ENV pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.
- Annual Financial statements.

6.3 AVAILABILITY OF CERTAIN RECORDS

The accessibility of the documents below may be subject to the grounds of refusal set out in this manual:

- Personnel Records.
- Client Related Records.
- Private Body Records (Financial and Company Secretarial).

6.3.1 ACCESS TO INFORMATION

ENV may refuse a request for information in respect of information detailed below:

6.3.1.1 Commercial and Legal

The following are records pertaining to ENV's own affairs:

Contracts and Agreements.
Company Confidential – Historical significance.
Meeting Minutes.
Shareholders.
Property Leases and Agreements.
Trademark.
Insurance.
Resolutions – Directors.
Correspondence.
Human Resources.
Strategy.
ENV Group Limited independently contracted Intermediaries.
Operational records.
Technology.
Compliance and Risk.
Subsidiary / Affiliates / Associates.
Contractors.
Directors.

6.3.1.2 Financial

Financial Yearend Results.
Financial Analysis and Reports.
Budgets.
Tax and Levies.

6.3.1.3 Human Resources

Employees Personal Information.
Employees History (skills and experience).
Educational Background.
Training and Development.
Health.
Salaries and Wages.
Contracts and Agreements.
Employment Equity.

6.3.1.4 Marketing

Advertising.
Contracts with Suppliers.
Product Ranges and Pricing.

6.3.1.5 Health and Safety

Policies.
Accidents and Incidents Reports.

6.4 **Records available in accordance with other legislation**

- Long Term Insurance Act 52 of 1998
- Pension Funds Act 24 of 1956
- Medical Schemes Act 131 of 1998
- Collective Investments Schemes Control act 45 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Basic Conditions of Employment Act 75 of 1997
- Prevention of Organised Crime 121 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002

7 **STEPS TO CONSIDER BEFORE SUBMITTING A REQUEST**

The following steps must be considered before submitting a request:

7.1 **Step 1: Are you requesting your own information?**

All ENV Group Limited clients are allowed access to their **own information** without having to use the request for access to information procedures as set out in the Promotion of Access to Information Act, including, but not limited to:

- Policy documents
- Account information
- Personal Records
- Voice recordings

All ENV Group Limited clients should contact their relevant financial advisor or ENV call centre to request access to their own information. Please note that there may be administration costs associated with retrieval of certain types of information records.

7.2 **Step 2: Are you entitled to use the Act to request access?**

Please take note of section 7(1) of the Act which states:

“This Act does not apply to a record of a public body or a private body if:

- (a) that record is requested for the purpose of criminal or civil proceedings;
- (b) so requested after the commencement of such criminal or civil proceedings, as the case may be; and
- (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided for in any other law.”

If section 7(1) applies, you may not bring a request in terms of this Act. You must use the rules and procedures for discovery of information of the relevant legal forum and proceedings you are involved in. ENV reserves the right to claim all expenses and other damages incurred as a result of a requester submitting a request in contravention of section 7(1).

7.3 Step 3: Does the information requested exist in the form of a record?

Please note that the Act only applies to records that are in existence at the time of us receiving your request. The Act does not compel anyone to create a record which is not yet in existence at the time the request is made. For instance, the Act cannot be used to obtain reasons for a decision taken by ENV if such reasons are not in the form of a record.

7.4 Step 4: Is the record in the possession or under the control of ENV?

The Act provides that the record requested must be in our possession or under our control. Therefore, even if a record was created by ENV or at some point in ENV's possession (but no longer in ENV's control at the time of your request), you must seek access to the record from the party under whose possession or control it is.

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

8 HOW TO SUBMIT REQUEST FOR ACCESS

Please consider the steps in paragraph 7 above before submitting your request. Once you are satisfied that none of the foregoing prohibitions apply to you, you may proceed to submit a request as follows:

8.1 Request form

Please complete the request form in Annexure 1 to this Manual (the "Request Form"). You can send the completed request form as is or under cover of a separate letterhead or fax cover.

In the Request Form, you need to provide sufficient information to enable us to adequately 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, fax number or email address of the requester.

8.2 Description of the right

Take care to adequately describe the right which you are seeking to protect or enforce by means of the records requested. Please note that the courts have indicated that access to the records must be "necessary" for the exercise or protection of the right so stated.

It is important to note that ENV may refuse you access to the records requested if the right is not clearly defined or where the right you claim to seek to exercise or protect does not qualify as a right as contemplated in the Act.

8.3 Representatives

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 ENV.

8.4 Illiteracy or disability

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

8.5 Prescribed fees

- (a) The prescribed fees, where applicable, as provided for in paragraph 9.2 below must be paid and proof of payment (e.g. copy of deposit slip) must be submitted following your request.
- (b) The requester will be notified where the Group Privacy Officer requires a deposit (calculated from the access fee).
- (c) You must submit proof of payment before your request can be processed.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

9 PRESCRIBED FEES

9.1 The Act provides for two types of fees, namely:

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

- 9.2** The requester, other than a *personal requester**, must pay the prescribed R50.00 (fifty rand) request fee, following submission of the request and provide a deposit slip as proof of payment which must follow the Request Form.
- * “personal requester” means a requester seeking access to a record containing *personal information*** about the requester.
- ** “personal information” means information about an identifiable individual, 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 individual;
 - (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
 - (c) any identifying number, symbol or other particular assigned to the individual;
 - (d) the address, fingerprints or blood type of the individual;
 - (e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
 - (f) correspondence sent by the individual 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 individual;
 - (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
 - (i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years.
- 9.3** If the search for and 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, ENV will request you to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 9.4** ENV may withhold a record until the requester has paid the fees as indicated.
- 9.5** A requester whose request has been granted must pay the applicable 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.
- 9.6** You may ask for a refund of the deposit if your request for access is refused.
- 10 CONSIDERING YOUR REQUEST**
- 10.1** ENV will have deemed to have received your request when all of the requirements in respect of the Act have been met.
- 10.2** Subject to the provisions in the Act in respect of extension of time periods, ENV will process the request within 30 days, unless you have stated special reasons which would satisfy ENV that circumstances dictate that the above time periods not be complied with.
- 10.3** You will be informed in writing whether access has been granted or denied.
- 10.4** The main grounds for ENV to refuse a request for information relate to the: 10.4.1 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;
- 10.4.2** 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 interests of that third party; and
 - information disclosed in confidence by a third party to ENV, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 10.4.3** mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 10.4.4** mandatory protection of the safety of individuals and the protection of property;
- 10.4.5** mandatory protection of records which would be regarded as privileged in legal proceedings;
- 10.4.6** the commercial activities of ENV, which may include:
- trade secrets of ENV;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of ENV; and
 - information which, if disclosed could put ENV at a disadvantage in negotiations or commercial competition;

- a computer program which is owned by ENV, and which is protected by copyright; and

10.4.7 the research information of ENV or a third party, if its disclosure would disclose the identity of ENV, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

11 YOUR REMEDIES

ENV does not have internal appeal procedures. As such, the decision made by the ENV is final. If your request is denied, you are entitled to apply to a court with appropriate jurisdiction for relief.

APPENDIX – 1

PRESCRIBED FORM TO BE COMPLETED BY REQUESTER

Form B

REQUEST TO ACCESS RECORDS OF A PRIVATE BODY

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

(Regulation 4)

A. PARTICULARS OF A PRIVATE BODY

The Head:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

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

Full Name and Surname:

--

Identity Number:

--

Postal Address:

--

Telephone Number:

--

Fax Number:

--

Email 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 applicable:

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.*

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 indicated in which form the record is required:

Disability:

Form in which record is required:

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.*

Mark the appropriate box with an "X":

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:**

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?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

A postal fee is payable.

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 in writing 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.

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

SIGNATURE OF PERSON ON WHOSE BEHALF
REQUEST IS MADE

FOR LIBERTY INTERNAL USE ONLY

Reference number: _____
Group Privacy Officer: _____
Request fee (if any): R _____
Deposit (if any): R _____
Access fee: R _____

SIGNATURE OF INFORMATION OFFICER (or duly authorised representative)