

PROMOTION OF ACCESS TO INFORMATION MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act, 2 of 2000 (“the Act”), for the following entities:

A. Introduction

Pi Investment Managers (Pty) Ltd is a licensed financial services provider (FSP No. 20293) and is approved by the Financial Sector Conduct Authority (www.fsca.co.za) Registration No. 2005/005991/07.

B. Purpose of the Manual

The Promotion of 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 or private bodies that is required for the exercise or protection of any rights. The Act sets out the procedural requirements attached to requests for information, the requirements which requests must meet as well as the grounds for refusing requests. This Manual informs Requesters of procedural and other requirements which a request must meet.

The Act also recognises that the right to access information must be balanced with other rights and should be subject to limitations including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.

This Manual is available for inspection, free of charge, at Pi Invest’s offices (see details below).

C. Particulars in terms of the Section 51 Manual

C.1 Contact details

Chief Executive Officer:	Ali Solim		
Registered address:	28 Peter Place Lyme Park Sandton 2196	Postal address:	PO Box 3378 Rivonia 2196
Telephone:	+27 10 594 2100		
Website:	www.piinvest.co.za		

All requests for information in terms of this Manual should be directed to:

Compliance Officer

Name	Outsourced Compliance Services (Pty) Ltd (Registration number 2017/394441/07 and Practice number 7154)
Physical address	Johannesburg address: Office 4, Nedbank Building, 135 Rivonia Road, Sandown, Sandton, Gauteng, South Africa, 2196 Cape Town address: The Launch Pad, 180 Lancaster Road, Gordons Bay, Western Cape, South Africa, 7140
Contact person	Mr JJ van Zyl
Telephone number	+27(0)11 568 0925
E-mail	info@outsourcedcompliance.co.za

C.2 Further guidance from the South African Human Rights Commission

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

Further information is available from:

The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Private Bag 2700

Houghton

2041

Telephone: +27 11 484-8300

Fax: +27 11 484-1360

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

C.3 Section 52(2) Notice

At this stage, no Notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

C.4 Types of records available

a) Records available in terms of any other legislation

All records kept and made available in terms of legislation applicable to any of the entities listed in this Manual and the Financial Services Industry in general, as it applies to the specific environment in which the entities operate, are available in accordance with the said legislation.

b) Records available without requesting access in terms of the Act

A private body may, on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by way of a notice in the Gazette.

The entities listed in this Manual have not submitted any such description to the Minister for publication in the Gazette.

c) **Records available on request**

Set out below are the subjects and categories of records that are available for the purposes of the Act, subject to grounds for refusal to the access thereof.

Records are maintained on the following subjects:

Personnel records;

- Client related records;
- Private Body records; and
- Records in the possession of or pertaining to other parties.

i. **Personnel records**

“Personnel” 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 the Private Body. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

Personal records include the following:

- Personal records provided to the private body by their personnel;
- Records provided by a third party to the Private Body relating to their personnel;
- Conditions of employment and other personnel-related contractual and quasilegal records;
- Internal evaluation records and other internal records;
- Correspondence relating to personnel; and
- Training schedules and material.

ii. **Client related records**

A “client” refers to any natural or juristic entity that receives services from the Private Body.

Client records include the following:

- Records provided by the client to a third party acting for or on behalf of the
- Private Body;
- Records provided by a third party to the Private Body; and
- Records generated by, or within, the Private Body pertaining to the client including transactional records.

iii. **Private Body records**

These records include, but are not limited to, the records which pertain to the Private Body’s own affairs:

- Financial records;
- Operational records;
- Databases;
- Information Technology;
- Marketing records;

- Internal correspondence;
- Records relating to products and services;
- Statutory records;
- Internal Policies and Procedures;
- Treasury related records;
- Securities and Equities; and
- Records held by officials of the private body.

iv. Other Party records

The Private Body 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 the Private Body.

Other Party records include the following:

- Personnel, client or private body records which are held by another party, as opposed to the records held by the Private Body; and
- Records held by the Private Body 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 and suppliers.

C.5 Access to records held by the Private Body

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

A Requester is any person making a request for access to a record of the private body. There are two types of requesters:

➤ Personal Requester

A Personal Requester is a person who is seeking access to a record containing personal information about the Requester. The Private Body 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.

➤ Other Requester

This Requester (other than a Personal Requester) is entitled to request access to information on third parties. However, the Private Body 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.

C.6 Request Procedure

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

The Requester must use the prescribed form as included in Annexure 1 to this Manual to make the request for access to a record. This request must be made to the Information Officer to the address, fax number or electronic mail address as stated in C.1.

The Requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requester. The Requester should also indicate which form of access is required and if he or she wishes to be informed in any other manner - and state the necessary particulars to be so informed.

The Requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the Requester must then submit proof of the capacity in which the Requester is making the request to the satisfaction of the Information Officer or Deputy Information Officer.

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

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

Please refer to Annexure A for the Request Procedure.

C.7 Grounds for refusal of access to records

The main grounds for the Private Body to refuse a request for information relates to the:

- 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;
- 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 the Private Body, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- mandatory protection of confidential information of third parties if it is protected in terms of any Agreement;
- mandatory protection of the safety of individuals and the protection of property;
- mandatory protection of records which would be regarded as privileged in legal proceedings;
- the commercial activities of the private body, which may include:
 - trade secrets of the Private Body;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Private Body; and
 - information which, if disclosed could put the Private Body at a disadvantage in negotiations or commercial competition.
- a computer program which is owned by the Private Body, and which is protected by copyright; and
- the research information of the Private Body or a third party, if its disclosure would disclose the identity of the Private Body, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

C.8 Remedies available to a Requester on refusal of access

Internal remedies

Pi Invest does not have internal appeal procedures.

External remedies

A Requester or a third party, who is dissatisfied with the decision of Pi Invest in relation to a request for access to a record (including with regard to fees) may, within 30 days, apply to the High Court or any other Court having jurisdiction, for relief.

C.9 Fees

The Act provides for two types of fees, namely:

- a request fee, being 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.

When a request is received by Pi Invest it will, by written notice, require the Requester, other than a Personal Requester, to pay the prescribed request fee (if any), before further processing the request.

If the search for the record has been made and the preparation of the record for disclosure would require more than the hours prescribed for this purpose, the Information Officer will notify the Requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.

Pi Invest will withhold a record until the Requester has paid the prescribed fees (and deposit where appropriate).

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 requested form.

If a deposit has been paid in respect of a request for access, which is refused, then Pi Invest will repay the deposit to the Requester.

D. Protection of Personal Information

D.1 Purpose of processing Personal Information

Personal Information is used for the purposes for which it was collected from the client by agreement or required for regulatory requirements.

D.2 Data subject categories and their Personal Information

Pi Invest's data subjects are clients who contract with Pi Invest for investment purposes. Related parties or contacts of clients are also regarded as data subjects. The personal data processed in respect of data subjects relates to documentation collected for purposes of identifying and verifying the identity of the client and related parties.

There may also be data subjects who are third party contract suppliers, employees, media personnel and the public in relation to queries received from the website.

D.3 Planned recipients of Personal Information

Pi Invest may also disclose Personal Information on request from recipients:

- Where we have a duty or a right to disclose in terms of law or industry codes; and
- Where we believe it is necessary to protect our rights.

D.4 Planned trans-border flows of Personal Information

Pi Invest mostly processes, collects and retains data in South Africa.

D.5 Security measures to protect Personal Information

We are legally obliged to provide adequate protection for the Personal Information we hold and to stop unauthorised access and use of Personal Information. We review our security controls and related processes on an on-going basis to ensure that your Personal Information is secure.

Our Security Policies and Procedures cover:

- Physical security;
- Computer and network security;
- Access to Personal Information;
- Secure communications;
- Security in contracting out activities or functions;
- Retention and disposal of information;
- Acceptable usage of Personal Information;
- Governance and regulatory issues;
- Monitoring access and usage of private information; and
- Investigating and reacting to security incidents.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that Personal Information that we remain responsible for is kept secure.

We will ensure that anyone to whom we pass your Personal Information agrees to treat your information with the same level of protection, as we are obliged to.