

ABAX INVESTMENTS PROPRIETARY LIMITED
(hereinafter referred to as “Abax”)

Prepared in terms of section 51 of the
Promotion of Access to Information
Act 2 of 2000 (as amended)
(“PAIA”)

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1 LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“CEO”	Chief Executive Officer: Anthony Sedgwick
1.2	“IO”	Information Officer: Edel Little
1.3	“Minister”	Minister of Justice and Correctional Services
1.4	“PAIA”	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
1.5	“POPIA”	Protection of Personal Information Act No.4 of 2013
1.6	“Regulator”	Information Regulator
1.7	“Republic”	Republic of South Africa

2 PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;

- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3 KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF ABAX

3.1 Abax contact details:

Postal address: PostNet Suite #255 Private Bag 1005
Claremont
7735

Physical Address: 2nd Floor Colinton House, The Oval,
1 Oakdale Road
Newlands
7700

Tel: +27 (0)21 671 8960

Website: www.abax.co.za

3.2 Chief Information Officer:

Name: Edel Little, Chief Operations Officer

Telephone: +27 (0)21 670 8975

E-mail: edel@abax.co.za

4 GUIDE ON HOW TO USE PAIA AND TO OBTAIN ACCESS TO THE GUIDE

- 4.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA;
- 4.2 The aforesaid Guide contains the description of –
 - 4.2.1 the objects of PAIA and POPIA

- 4.2.2 the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.2.2.1 the Information Officer of every public body, and
 - 4.2.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1)¹ of PAIA and section 56 of POPIA²
- 4.2.3 the manner and form of a request for-
 - 4.2.3.1 access to a record of a public body contemplated in section 11 ; and
 - 4.2.3.2 access to a record of a private body contemplated in section 50³;
- 4.2.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.2.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.2.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.2.6.1 an internal appeal;
 - 4.2.6.2 a complaint to the Regulator; and
 - 4.2.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.2.7 the provisions of sections 14⁴ and 51⁵ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁵ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

- 4.2.8 the provisions of sections 15⁶ and 52⁷ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.2.9 the notices issued in terms of sections 22⁸ and 54⁹ regarding fees to be paid in relation to requests for access; and
 - 4.2.10 the regulations made in terms of section 92¹⁰.
- 4.3 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.4 The Guide can also be obtained-
- 4.4.1 upon request to the Information Officer;
 - 4.4.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

⁶ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁷ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁸ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

⁹ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5 CATEGORIES OF ABAX RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS:

Types of the Record	Available on company website	Available upon request
PAIA Manual	X	X
Data Privacy Statement	X	X
Treating Customers Fairly (TCF) Policy		X
Conflicts of Interest Policy		X
FAIS Information Disclosure Letter		X

6 DESCRIPTION OF ABAX RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION:

Applicable Legislation
Basic Conditions of Employment No. 75 of 1997
Broad Based Black Economic Empowerment Act No. 53 of 2003
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Consumer Protection Act No. 68 of 2005
Electronic Communications and Transactions Act No. 25 of 2002
Electronic Communications Act No. 36 of 2005
Employment Equity Act No. 55 of 1998
Financial Intelligence Centre Amendment Act No. 11 of 2008
Financial Markets Act No. 19 of 2012
Financial Sector Regulation Act No. 9 of 2017
Financial Services Board Act No. 97 of 1990
Income Tax Act No. 58 of 1962
Insurance Act No. 27 of 1943
Labour Relations Act No. 66 of 1995
Occupational Health & Safety Act No. 85 of 1993

Pension Funds Act No. 24 of 1956
SA Reserve Bank Act No. 90 of 1989
Skills Development Levies Act No. 9 of 1999
Skills Development Act No. 97 of 1998
Tax on Retirement Funds Act No. 38 of 1996
Telecommunications Act No. 103 of 1996
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

7 DESCRIPTION OF THE RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY ABAX

Subjects on which Abax holds records	Categories of records
Personnel Records	- Personnel files - Personal records provided by a 3rd party relating to personnel - Personal records provided by personnel - Conditions of employment and other personnel-related contractual and quasi-legal records - Internal evaluation records and other internal records - Correspondence relating to personnel - Training schedules and material - Policies and procedures - Forms and applications - Standard letters and notices - Retirement fund – rules - Department of Labour report – Employment Equity Plan
Customer Related Records	- Records provided by a customer to a third party acting for or on behalf of Abax in the banking industry - Records provided by a third party - Records generated by or within Abax in the banking industry relating pertaining to its customers, including transactional records
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 - Records held by officials of Abax
Other Party Records	- Personnel, customer or private body records which are held by another party, as opposed to the records held by Abax itself - Records held by Abax 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 - Abax 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 Abax
Company Secretarial Records	- Minute books - Company registers - Annual Financial Statements - Memoranda and Articles of Association - Correspondence - Share Certificates - Company agreements - Returns to Registrar of Companies - Attendance registers for meetings - Agendas for meetings - Dividend lists
Marketing	- Advertising and marketing material (brochures, leaflets)

8 PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of processing Personal Information

Abax may collect, store, use, disclose and transfer your personal information primarily for the following purposes:

- To communicate requested information to you.
- To provide investment management and investment administration services

to you as requested.

- To meet regulatory obligations such as is contained in (although not limited to) the Financial Intelligence Centre Act, 2001 ("FICA"), Financial Advisory & Intermediary Services Act, 2003 ("FAIS") and the Collective Investment Scheme Control Act, 2002 ("CISCA").
- Human resource management.
- Financial and tax reporting.

8.2 Personal Information processed by Abax

Depending on the type of business conducted, or the relationship you have with Abax the following types of personal information may be processed:

- name
- identification and registration numbers
- nationality
- contact details – residential, business and email addresses and telephone numbers
- gender
- age
- marital status
- tax identification numbers
- bank account details
- financial information

In addition to the above, the following personal information may be processed with regards to employees, prospective employees and shareholders:

- race (for employment or regulatory purposes only)
- qualifications
- employment history

8.3 Security Safeguards

The information Abax maintains concerning its data subjects is stored in secure databases that have built-in safeguards to ensure its privacy and confidentiality. Your personal information is strictly access controlled, with access granted to identified authorised persons only.

9 AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On the website: www.abax.co.za;

9.1.2 The office of Abax for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.