



PAIA MANUAL

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

**DATE OF COMPILATION: 22/2/2022
DATE OF REVISION: 22/2/2022**

1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|---|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended; |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF 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 KAINOS Brokers

3.1. Chief Information Officer

Name: Fanie Bergh
Tel: 0823498718
Email: fanie.bergh@liblink.co.za
Fax number: fanie.bergh@liblink.co.za

3.2 Access to information general contacts

Email: fanie.bergh@liblink.co.za

3.3 National or Head Office

Postal Address:

PO Box 739
Halfway House
1685

Physical Address:

81 Regency Drive
Route 21 Corporate Park
Centurion

Telephone:

012 035 1730

Email:

fanie.bergh@liblink.co.za

Website:

www.kainosgroup.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW 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 Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a

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 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ 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.*

decision by the Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92¹¹.

4.4. 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.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

⁵ 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.

⁶ 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.

⁷ 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

⁸ 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

⁹ 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.

¹⁰ 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.

¹¹ 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.”

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 English & Afrikaans

5. CATEGORIES OF RECORDS OF THE KAINOS BROKERS (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

NB: Please specify the categories of records held by the body which are available without a person having to request access by completing Form C, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email or a letter.

Category of records	Types of the Record	Available upon request
POPI	Privacy Policy	X
FSCA Compliance	Conflict of Interest Policy	X
FSCA Compliance	Complaints Policy	X
PERSONAL	ID, Names, Bank accounts	X
LEGISLATIVE	Disclosure letter	X
	Copy of license	X
	Annual Financial Statements	X
	Tax Returns	X
	Accounting records	X
	Competence records	X
	PI Certificate	X

6. DESCRIPTION OF THE RECORDS OF KAINOS BROKERS (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

NB: Please specify all the records which are created and available in accordance with any of the South African legislation.

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
FSCA licence	No 37 of 2002 Financial Advisory and Intermediary Services Act
Risk Management and Compliance Programme	No 38 of 2001 Financial Intelligence Centre Act
CIPC records	Companies Act 71 of 2008
Complaints Policy	FAIS legislation
Conflict of Interest policy	FAIS legislation
TCF policy	FAIS legislation
POPI Privacy statement	POPIA

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE KAINOS BROKERS (PTY) LTD

NB: Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject.

Subjects on which the body holds records	Categories of records
COMPANIES ACT RECORDS	<ul style="list-style-type: none"> • Documents of incorporation • Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
FINANCIAL RECORDS	<ul style="list-style-type: none"> • Annual Financial Statements • Tax Returns • Accounting Records

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> • Banking Records • Bank Statements • Electronic banking records • Budgets
INCOME TAX RECORDS	<ul style="list-style-type: none"> • PAYE Records • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees
PERSONNEL DOCUMENTS AND RECORDS	<ul style="list-style-type: none"> • Employment contracts • Disciplinary records • Salary records • Disciplinary code • Training records • Training Manuals
MARKETING	<ul style="list-style-type: none"> • Advertising • Product Brochures
Risk and compliance	Policies and procedures <ul style="list-style-type: none"> • Risk registers • FSCA requirements • FICA requirements

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- To assist the client in their request for short term and/or long-term insurance policies and to assist in any queries or changes regarding those policies or products.
- To confirm and verify client identities.
- For insurance underwriting.

- To assist in claim handling.
- To conduct credit reference searches or verification.
- For operational purposes required to assist you with the solutions you require.
- For audit and record-keeping purposes.
- In connection with possible requirements by the Information Regulator or other Government agencies allowed by law, legal proceedings, or court rulings

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

***NB:** Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.*

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	Full name & surname, address, postal, numbers, gender, nationality, race, marital status, education, children under 18 information, identity numbers, drivers licence, DOB, Passport number, employment status, salary and bank details. Business details and information. Medical information. Insurance history and claims. Signature, background checks and criminal history.
Service Providers	Company names, registration number, vat numbers, address, trade secrets and bank details. Business address and numbers.
Employees	Full name & surname, Id number, drivers licence, address, qualifications, gender and race, nationality. Marital status and education, contact details. Bank details, tax number, employment history, background checks, criminal history.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

***NB:** Specify the person or category of persons to whom the body may disseminate personal information.*

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Full names and surname	FICA screening on Dilisense.com
<p>Client (Individual)</p> <p>Name, surname, identity number or passport number, date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information, banking information including account numbers, FICA documentation, employment status.</p> <p>Client (Legal entity)</p> <p>Entity name, registration number, tax-related information, contact details for representatives, banking information including account numbers, financial information, FICA documentation.</p>	<p>Product providers</p> <p>Masthead (Pty) Ltd</p> <p>Financial Intelligence Centre</p> <p>Financial Sector Conduct Authority</p>

8.4 Planned transborder flows of personal information

Information only received from other countries when clients is in other countries for work/holiday/visiting family purposes. (Countries known for now is UK; America; Ireland)

Information received/sent to client emails or whatsapp.

The cloud and email host servers may store data in Austria, Finland, France, Ireland, Nederland- **Onedrive and Microsoft and NAS**

Data storage is encrypted.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Laptop Password protected

Locked office and/or locked cabinets in office when unoccupied

Safekeeping of hard drives

Password protected systems where client information is stored.

Anti-virus program

Data storage is encrypted

Office is situated inside a Security Office Park

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.kainosgroup.co.za ;

9.1.2 head office of KAINOS BROKERS (PTY) LTD 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.

10. UPDATING OF THE MANUAL

The head of a KAINOS BROKERS (PTY) LTD will on a regular basis update this manual.

Issued by



Fanie Bergh

Director and Chief Information Officer