

ASSOCIATED INSURANCE BROKERS (CAPE) 2006 (PTY) LTD

Manual In terms of Promotion of Access to Information Act No 2 of 2000

1. INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 came into force on the 9 March 2001 and seeks to promote a culture of transparency, accountability and good governance, by giving effect to a person's constitutional right of access to information.

In furtherance of this objective, Section 51 of the Act requires private bodies to compile a manual which will assist either private or juristic persons in obtaining information from such private body.

Associated Insurance Brokers (Cape) 2006 (Pty) Ltd is a private body carrying on business as insurance brokers. As such, the details required in order for a requester of information to obtain or apply for information which this company holds, is contained hereunder.

2 DEFINITIONS

The following words will bear the following meaning in this manual:

"Associated Insurance Brokers (Cape) 2006 (Pty) Ltd": will mean just that.

"the Act" will mean the Promotion of Access to Information Act 2 of 2000, including all Regulations published in terms of the Act.

"the Head" will mean the Chief Executive Officer or equivalent of Associated Insurance Brokers(Cape) 2006 (Pty) Ltd .

"the/this manual" will mean this manual with all relevant annexures available from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd.

"personal requester" will mean a requester seeking access to a record containing personal information about the requester.

"SAHRC" will mean the South African Human Rights Commission.

"third party" will mean any person other than the requester of information.

3 ADDRESS

Postal: P O Box 90
Century City
7446

Physical: The Colosseum Building
3rd Floor, Foyer 2
Cnr of Century Boulevard & Century Way
Century City
Cape Town

Website: www.aib.co.za

4 CONTACT PERSONS

Head of Body: Mr Harry Casper

Telephone No. +27 21 529 7800

Fax No. +27 0865 200 920

Email Harry@aib.co.za

5 SECTION 10 GUIDE

In terms of Section 10 of the Act, the SAHRC must compile a guide containing information that may be required by a person who wishes to exercise a right in terms of the Act. At the date of drafting this manual, such guide had not yet been made available by the SAHRC. The contact details for the SAHRC are as follows:

PAIA Unit of the Commission
The Research and Documentation Department
Private Bag X2700
HOUGHTON
2041

Tel: 011 877 3600

Fax: 011 403 0625

Website: www.sahrc.org.za

Email: dmalesa@shrc.org.za
info@sahrc.org.za

6 SECTION 52 (2) NOTICE

In terms of Section 52 of the Act, a private body may submit to the Minister responsible for the administration of justice, a description of records which it holds that are automatically available from the private body. The Minister may then publish such information by way of a notice in the Government Gazette. At the time of drafting this manual, no such information has been given by Associated Insurance Brokers (Cape) 2006 (Pty) Ltd to the Minister and no such notice has therefore been published.

7 RECORDS HELD BY ASSOCIATED INSURANCE BROKERS (CAPE) 2006 (PTY) LTD ACCORDANCE WITH LEGISLATION

Associated Insurance Brokers (Cape) 2006 (Pty) Ltd keeps information in accordance with the following legislation:

- Companies Act, Act No. 61 of 1973
- Income Tax Act, Act No. 58 of 1962
- Unemployment Insurance Act, Act No 4 of 2002
- Basic Conditions of Employment Act, Act No. 75 of 1997
- Skills Development Act, Act No. 9 of 1999
- Financial Advisory & Intermediary Service Act No. 37 of 2002

Please note that the above may not be an exhaustive list.

8 SUBJECTS AND CATEGORIES OF INFORMATION HELD BY ASSOCIATED INSURANCE BROKERS (CAPE) 2006 (PTY) LTD

Please note that the records listed below are not automatically available, and the process outlined in 8 below must be followed.

	SUBJECT	CATEGORIES
1	Human Resources	Includes: Employment Contracts, Disciplinary/Performance records, Employee Personal Details (Curriculum vitae), Application forms (loans, leave etc), etc
2	Operational Information	Includes: Internal phone lists, Client Information, Company Policies, Marketing Material, Contracts with Client and Suppliers, Training Material Information, Insurance Policies, etc.
3	Communications	Internal and external correspondence

9 ACCESSING A RECORD HELD BY ASSOCIATED INSURANCE BROKERS (CAPE) 2006 (PTY) LTD

- 9.1 A person requesting information from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd must:
- a) Use the prescribed form (Form B of the Regulations as contained in Government Gazette 223 of 9 March 2001) to make such request. The form can be obtained from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd or can be accessed in the SAHRC website, being www.sahrc.org.za.
 - b) Make the request to the Head of Associated Insurance Brokers (Cape) 2006 (Pty) Ltd.
 - c) Provide sufficient detail on the request to enable identification of the record and the requester.
 - d) Indicate the form of access required (i.e., written, electronic, tape recording etc.).
 - e) Indicate the right that he/she/it is seeking to exercise and provide an explanation as to why the requested record is necessary for the protection of such right.
 - f) If a request is made on behalf of another person, indicate and submit proof of the capacity in which the request is being made.
 - g) Pay the prescribed request fee, as contained in Item 5 of the Regulations as contained in Government Gazette 223 of 9 March 2001. The form can be obtained from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd or can be accessed on the SAHRC website, being www.sahrc.org.za.
 - h) Await the decision from the Head of Associated Insurance Brokers (Cape) 2006 (Pty) Ltd as to whether or not access to the information will be granted. Such decision will be made in accordance with the provisions of the Act.
 - i) Should access to the information be granted, pay the prescribed access and reproduction fees, as contained in Item 5 the Acts of the Regulations as contained in Government Gazette 223 of 9 March 2001. The fee schedule can be obtained from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd or can be accessed on the SAHRC website, being www.sahrc.org.za.
- 9.2 **Before following the procedures outline above, a person requiring information is encouraged to first visit Associated Insurance Brokers (Cape) 2006 (Pty) Ltd website which may contain the information being sought.**



10 GRANTING AND REFUSING OF A REQUEST

10.1 Within 30 (thirty) days of having received a request for access to information held by Associated Insurance Brokers (Cape) 2006 (Pty) Ltd, the Head must decide whether to grant to refuse the request.

10.2 Despite the above, should the request:

- a) be for a large volume of information; or
- b) require a search for records held in a different office to where the Head is situated; or
- c) require the Head to consult with another division of the private body or with another private body.

then the Head may take a further 30 (thirty) days to answer the request, in terms of Section 57 of the Act. In such event however the Head will notify the requester of the period of and reasons for the extension.

10.3 Should a request not be dealt with within the time frames mentioned in 10.1 and 10.2 above, then such request will deemed to be refused in terms of Section 58 of the Act.

10.4 The Act outlines categories of information that must, may and may not be disclosed. The Head must and will grant or deny access in line with these provisions.

10.5 If access is refused, the requester will be notified in writing thereof. The notice will also obtain the reasons for the refusal as well as the section/s of the Act which authorizes the Head to refuse the request.

10.6 Should the requested information not be found after a diligent search, the Head will inform the requited thereof by way of affidavit in terms of Section 55 of the Act.

10.7 Should the Head deny access to the information requested, the requester will be so notified. In such notice, full reasons for the refusal will be given. The remedies that may be followed in objection to the refusal will also be outlined.

10.8 An objection to a refusal by the Head, should be done by way of application to court in terms of Section 82 of the Act, read with the definition of: "court" as contained in Section 1 of the Act. Such application to court must be brought within 30 (thirty) days of the request having been refused.



11 CORRECTION OF PERSONAL INFORMATION

- 11.1 Any person who believes that Associated Insurance Brokers (Cape) 2006 (Ltd) holds incorrect or inaccurate personal information on him/her, may send a written request to the Head to have the information amended or deleted, as the case may be.
- 11.2 Upon receipt of such request, the Head will conduct an investigation and amend and/or delete any information found to be untrue or inaccurate.

12 THIRD PARTY NOTICES

- 12.1 Should the Head receive a request for information relating to a third party and then such third party will be informed of the request by way of notice.
- 12.2 Having received the notice, the third party has the right to object or consent in writing within 21 days (twenty one) days to disclosure of the requested information.
- 12.3 The Head will then decide whether or not to grant access to the information, and will inform the third party in writing of his decision.
- 12.4 A notice informing the third party that access to the information will be granted, will:
- a) Give reasons for the granting of the request and the relevant provisions of the Act relied upon in reaching such decision; and
 - b) Inform the third party that he/she may lodge an application to court against the decision, within 30 (thirty) days of receiving notice of the Head's decision, failing which the third party's information will be furnished to the requester.

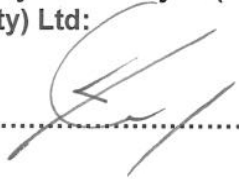
13 AVAILABILITY OF THE MANUAL

- 13.1 This manual is available for inspection at the physical premises of Associated Insurance Brokers (Cape) 2006 (Pty) Ltd free of charge.
- 13.2 Copies of the manual can be obtained from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd at the fee prescribed in item 5 of the Regulations as contained in Government Gazette 223 of 9 March 2001. The fee structure can also be obtained from Associated Insurance Brokers (Cape) 2006 (Pty) Ltd or is available on the SAHRC website, being www.sahrc.org.za.

14. AMENDMENT OF THE MANUAL

- 14.1 The information held by Associated Insurance Brokers (Cape) 2006 (Pty) Ltd and the manner in which to access such information may be granted may vary, and this manual may therefore be amended from time to time, as the need arises.

Signed by Jean Gloyne (Director) on behalf Associated Insurance Brokers (Cape)
2006 (Pty) Ltd:


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Date: 15 December 2011