



Promotion of Access to Information Manual

For

Silvertree Risk and Wealth Management C.C

Registration no: 2006/226559/23

An Authorised Financial Services Provider (FSP29682)

In terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA")

Updated terms of The Protection of Personal Information Act 4 of 2013 ("POPIA")

1. INTRODUCTION AND PURPOSE OF PAIA AND POPIA

Section 51 of the Promotion of Access to Information Act ("the Act") requires private bodies to complete a manual which shall facilitate requests for information. Silvertree Risk and Wealth Management C.C is such a private body which has compiled the attached manual, the terms of which are stated below.

PAIA is an Act which gives effect to the constitutional right of access to information held by the State or another person and which is required for the exercise or protection of any right. Any organisation which receives a request made in terms of PAIA is obliged to give access to the requested information, except where the Act expressly provides that the information may or must not be released.

It is important to note that PAIA recognises certain limitations to the right of access to information, including, but not exclusively 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.

POPIA was enacted in November 2013. To promote the protection of personal information processed by public and private bodies. POPIA amended certain provisions of PAIA, balancing the need for access to information against need to ensure protection of personal information.

2. INFORMATION MANUAL

This manual is compiled in accordance with Section 51 of PAIA and the Schedule to POPIA. It is intended to give a description of the records held by and on behalf of Silvertree, to outline the procedure to be followed and the fees payable when requesting access to any of these records in the exercise of the right to access to information.

This manual is available for public inspection:

- At the physical address of Silvertree, free of charge.
- On this website, free of charge.
- On request by a person (along with payment of prescribed fee).

3. CONTACT DETAILS

The responsibility for the administration of and compliance with PAIA and POPIA have been delegated to our Information Officer.

Any person who wishes to request any information from Silvertree in order to protect or exercise a right, may contact the Information Officer at the following contact details:

Information Officer	Miss Robyn Woodward
Postal address	Postnet Suite 52, Private Bag X12, Tokai 7966
Physical address	Suite 5, Steenberg House, Steenberg Office Park Tokai 7945
Email:	robyn@silvertreegroup.co.za
Tel:	27 21 702-1915
Website	www.silvertreegroup.co.za

4. INFORMATION REGULATORS GUIDE

An official guide has been compiled which contains information to assist a person wishing to exercise a right to access to information in terms of PAIA and POPIA. This guide is made available by the Information Regulator (established in terms POPIA). Copies of the updated guide can be obtained from the Information Regulator in the manner prescribed.

The contact details of the Information Regulator:

Physical address: The Information Regulator
33 Hoofd Street, Forum III, 3rd Floor Braampark
Braampark Office Park, Braamfontein Johannesburg 2017

Tel: 27 (0) 10 023 5200
Complaints: complaints.IR@justice.gov.za
General queries: infoereg@justice.gov.za

5. SCHEDULE OF RECORDS HELD BY SILVERTREE

Requests for access to documents held by Silvertree must be in accordance with PAIA. The following records may be requested from Silvertree's offices:

Personnel Records

"Personnel" refers to any person who works or provides services to or on behalf of Silvertree and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of Silvertree. It includes, without limitation, directors, all permanent, temporary and part-time staff, as well as contract workers.

Customer-Related Records

"Customer" refers to any natural or juristic person that receives services from Silvertree. This includes prospective clients who ultimately do not become customers of Silvertree.

Customers records include:

- Any records provided by a customer to a third part for and or on behalf of Silvertree;
- Any records provided by third party
- Records generated by or within Silvertree pertaining to the customer; Transactional records and recorded call centres; and
- Correspondence with a client that is implicitly or explicitly of a private or confidential nature; and
- Financial, IT and Operational records

Records Pertaining to Silvertree's own affairs which include:

- Financial records;
- Operational records; Information technology; Marketing records;
- Statutory records; and
- Internal policies and procedures

Other Party Records

Silvertree may possess records pertaining to other parties including without limitation, contractors, suppliers, subsidiary/holding companies, joint venture companies and service providers.

Alternatively, such other parties may possess records which can be said to belong to Silvertree. The following records fall under this category: Personnel, Customer and Operational records which are held by another party as opposed to being held by Silvertree.

Records held by Silvertree pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records this parties have provided about the contractors/ suppliers.

Records available in terms of other Legislation

The requester may also request information which is available in terms of legislation, such as the following:

- The Companies Act 71 of 2008
- Basic Conditions of Employment Act 75 of 1997,
- Competition Act 89 of 1998
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962;
- Value Added Tax Act 89 of 1991;
- Labour Relations Act 66 of 1995
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001;
- Financial Services Board Act 97 of 1990
- Long Term Insurance Act 52 of 1998
- Medical Scheme Act
- Pension fund Act
- Prevention of Organised Crime Act 121 of 1998
- Occupational Health and Safety Act 85 of 1993
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Electronic Communications and Transactions Act 25 of 2002
- Unemployment Insurance Act 63 of 2001
- Skills Development Act 97 of 1998;
- Consumer Protection Act 68 of 2008

The above is not an exhaustive list of status that Silvertree may require to keep records of.

6. PROCESSING DETAILS

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by Silvertree will depend on the nature of the data and particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

Purpose of the processing

Silvertree processes personal data for business administration purposes and to the extent required by legislation and regulation. This processing of customer related records is an integral part of Silvertree's commercial operations. Third party and other related party records are processed for business administration purposes.

Categories of Data Subjects

Silvertree holds information and records on the following category of data subjects:

- Clients / Customers of Silvertree
- Any third party such as contractors, suppliers of service providers
- Data relating to Silvertree's own financial matters (Financial, Tax, Regulatory, Contractual agreements, Operational documents, Human resources (employees), Information technology relating to all hardware/software.

This list of categories of data subjects is non-exhaustive.

Recipients to whom Personal Information may be supplied:

Silvertree may, depending on the nature of the data, supply information or records to the following categories of recipients:

- Regulators, Statutory oversight bodies or similar authorities
- Any court, judicial forum or Ombudsman
- South African Revenue Services or another similar authority auditing and accounting bodies (internal or external)
- Anyone making a successful application for access in terms of PAIA.

Security Measures

Silvertree takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information within Silvertree's possession. Silvertree further takes appropriate technical and organisational measures designed to ensure that personal data remain confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

7. PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

Prescribed Access Form

A request for access to information held by Silvertree must be made in the prescribed form to Silvertree's Information Officer at the postal, physical or email addresses recorded above.

To proceed to the prescribed form – see last page of manual.

Requesters must provide sufficient particulars in respect of the following to the Information Officer:

- a) The records requested
- b) The identity number of the requester
- c) The form of access which is required
- d) Specify a postal address and email address of the requester
- e) The right exercised or to be protected and why the record is required to protect or exercise the right
- f) Where they need to be informed of the decision on the request in any other manner, state that manner and particulars to be so informed and
- g) If the request is made in behalf of a person, submit proof of their capacity to do so to the Information Officer's satisfaction.

Applicable fees

The following type of fees may be payable:

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

Third Part Notification

Silvertree will take all reasonable steps to inform a third party to whom or which a requested record related if the disclosure of that record would:

- Involve the disclosure of personal information about that third party
- Involve the disclosure of financial, commercial or technical information of that third party, which disclosure would be likely to cause harm to the commercial or financial interests of that third party or information supplied in confidence by a third party, the disclosure of which could be reasonably be expected to put that third party at a disadvantage in contractual or other negotiations or prejudice that third party in commercial competition; or
- Constitute an action for breach of duty of confidence owed to a third party in terms of an agreement.

Silvertree will inform the third party as soon as reasonable possible, but in an event, within 21 days after that request is received. Within 21 days of being informed of the request, the third party may –

- Make written or oral representations to the Information Officer why the request for access should be refused; or
- Give written consent for the disclosure of the record to the requester.

Silvertree will notify the third party of the outcome of the request. If the request is granted, adequate reasons for granting the request will be given.

The third party may lodge a complaint to the Information Regulator or an application to a court against the decision within 30 days after notice is given, after which the requester will be given access to the record after the expiry of the 30 day period.

8. NOTIFICATION OF DECISION

The Information Officer will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

This prescribed 30-day period may be extended for a further period of not more than 30 days if the requested information cannot reasonably be obtained within the initial 30-day period.

The Information Officer will notify the requested in writing should an extension be required.

The requested may lodge a complaint to the Information Regulator or an application to a court against the extension.

9. REMEDIES AVAILABLE WHEN A REQUEST FOR INFORMATION IS REJECTED

Internal Remedies

Silvertree does not have an internal appeal procedure. Therefore the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision made by the Information Officer will have to exercise external remedies at their disposal.

External Remedies

All complaints by a requester or a third party can be made to the Information Regulator or a Court, in the manner prescribed below,

Complaints to the Information Regulator

The requester or third party may submit a complaint in writing to the Information Regulator within 180 days of the decision, alleging that the decision is not in compliance with the provisions of PAIA.

The Information Regulator will investigate the complaint and reach a decision, which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

Application to a Court

An application to court may be brought in ordinary course.

REQUEST FOR ACCESS TO A RECORD OF A PRIVATE BODY

S53(1) Promotion to Access to Information Act, Act 2 of 2000

TO: Robyn Woodward

Information Officer for Silvertree Risk & Wealth Management C.C

Suite 5, Steenberg House

Steenberg Office Park

Tokai

7945

Tel : 27 21 702-1915

Email : robyn@silvertreegroup.co.za

Postnet Suite 52

Private Bag X12

Tokai

7966

PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD:

FULL NAMES: _____

IDENTITY NO: _____

POSTAL ADDRESS: _____

CONTACT NUMBERS: _____

MOBILE NUMBER: _____

EMAIL ADDRESS: _____

PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE (IF MADE ON BEHALF OF THIRD PARTY

EG: IF YOU HAVE DISABILITY AND REQUIRE ASSISTANCE):

FULL NAMES: _____

IDENTITY NO: _____

POSTAL ADDRESS: _____

CONTACT NUMBERS: _____

MOBILE NUMBER: _____

EMAIL ADDRESS: _____

PARTICULARS OF RECORD REQUESTED:

Provide full particulars of the record to which access is requested including the reference number to enable the record to be located:

FEES:

A request for access to a record will be processed only after request fee is paid.

You will be notified of the amount of the applicable fee, dependant on record required and time required to access.

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED:

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS:

You will be notified in writing whether your request has been approved or denied. If you wish to be informed thereof in another manner, please specify the manner and provide necessary particulars to enable compliance with your request:

SIGNED AT PLACE: _____

DATED: _____

SIGNATURE: _____

NAME: _____

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

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Fax number:

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Mark with an "X"

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</p>			
Record is in written or printed form			
Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

FORM

TCOME OF REQUEST AND OF FEES PAYABLE

3

[Regulation 8]

**O
U**

1. *If your request is granted the—*
 - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
 - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of information on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

1. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

2. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer