



Kapara Insurance Brokers (Pty) Ltd

(Registration Number 1998/024464/07)

(the 'Company')

MANUAL

in terms of

The Promotion of Access to Information Act

2/2000

(the 'Act')

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1. INTRODUCTION

Kapara Insurance Brokers (Pty) Ltd conducts business as a short term insurance brokerage. We are an authorized service provider in terms of the Financial Advisory and Intermediary Services Act and our FSP number is 13767.

Kapara Insurance Brokers (Pty) Ltd is a private limited company with no subsidiaries and we do not fall within a group of companies. Our company falls within the definition of a private body as detailed below.

“(a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;

(b) a partnership which carries or has carried on any trade, business or profession;

(c) any former or existing juristic person, but excludes a public body.”

Kapara Insurance Brokers (Pty) Ltd is situated in Forest Town, Johannesburg.

2. Contact details of the company

Physical address: 62 Jan Smuts Avenue
Forest Town
Johannesburg

Postal address: P O Box 2812
Houghton
2041

Directors: Mrs M K Dover
Mr D W Dowding
Mr B A Hoar

Telephone number: 011 646 0970

Fax number: 011 646 5167

Email addresses: info@kapara.co.za

Website: www.kapara.co.za

3. The Act

The Act grants a requester access to records of the Company if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7.

Requesters are referred to the guide compiled by the South African Human Rights Commission (SAHRC), which contains information for the purposes of exercising constitutional rights. The Guide is available on the SAHRC website. The contact details of the Commission are:

Physical address:	Braampark Forum 3 33 Hoofd Street Braamfontein
Postal address:	PAIA Unit The Research and Documentation Department Private Bag 2700 Houghton 2041
Telephone number:	011 877 3600
Fax number:	011 403 0668
Website:	www.sahrc.org.za
Email address:	paia@sahrc.org.za

4. Applicable Legislation

Information is available in accordance with the following current South African legislation (only to the extent that the relevant statute makes disclosure of records compulsory):

Basic Conditions of Employment Act (75 of 1997)

Broad Based Black Economic Empowerment Act (53 of 2003)

Companies Act (61 of 1973)

Compensation for Occupational Injuries and Diseases Act (130 of 1993)

Electronic Communications and Transactions Act (25 of 2002)

Employment Equity Act (55 of 1998)

Financial Intelligence Centre Act (38 of 2001)

Financial Services Board Act (97 of 1990)

Income Tax Act (58 of 1962)

Labour Relations Act (66 of 1995)

Occupational Health and Safety Act (85 of 1973)

PAIA Regulation 187 of 15 February 2002

Pension Fund Act (24 of 1956)

Promotion of Access to Information Act (2 of 2000)

Short Term Insurance Act (53 of 1998)

Skills Development Act (97 of 1998)

Skills Development Levies Act (9 of 1999)

South African Constitution (108 of 1996)

Unemployment Insurance Act (30 of 1966)

Unemployment Insurance Contributions Act (4 of 2002)

Value Added Tax Act (89 of 1991)

5. Access to Records and Availability

In order to request access to information held by a company, the person requesting access to information must identify the right it is seeking to exercise or protect and explain why the records requested are required. Should the person requesting access to the information be a public body, such person must identify that it is requesting such information in the public's interest by stipulating adequate reasons.

There are procedural requirements that need to be followed:

- In order to facilitate such a request for access to information, the requester needs to complete the prescribed access form.
- Proof of identity is required to authenticate the request and the requester.
- A request will not be processed until the request fee of R50 and a deposit of the access fee (if applicable) have been paid. The request fee is an administrative fee that must be paid before the request is considered. This request fee is not refundable.
- The access fee is intended to reimburse the Company for the costs involved in searching and preparing the record requested for delivery and is payable once access to the record requested is granted.
- A reproduction fee is payable by the requester, in case of reproduction of a record requested, notwithstanding the fact that it is automatically available.

Requestors will be informed within 30 days of the Company's decision to refuse access to the information requested based on any of the grounds for refusal as contemplated in Chapter 4 of Part 3 of the Act. Take note that the 30 day period may be extended for a further 30 day period should more time be required to gather the requested information. The requester will, however, be notified if the initial 30 day notice period is to be extended for a further 30 days.

The company has in its possession the following categories of record on the subject matters referred to hereunder:

- **Client records**
 - Policy documents
 - Policy wordings
 - Client statements
 - Client correspondence

- **Corporate governance**
 - Codes of conduct

- **Finance and administration**
 - Accounting records
 - BEE reports
 - Annual financial statements
 - Invoices and statements
 - Management reports
 - Tax records and returns

- **Human resources**
 - Payroll records
 - BEE reports
 - Personnel information
 - Employment equity reports
 - General terms of employment
 - Leave records

- PAYE records and returns
- UIF returns
- Provident fund and medical aid records
- Skills development report

- **Information management and technology**
 - Service level agreements
 - Equipment register
 - Risk management plans
 - Software operating licences

- **Education**
 - Training material
 - Training records and statistics
 - Training agreements

- **Secretarial Services**
 - Applicable statutory documents
 - Company organogram
 - Memorandum of Incorporation
 - Share certificates
 - Shareholder agreements

Certain of the above-mentioned records are of a confidential nature and are only accessible to authorized persons.

6. Form of Request

To facilitate the processing of your request, kindly:

- Use the prescribed form, available on the website of the South African Human Rights Commission at www.sahrc.org.za or the attached annexure A.
- Address your request to the Company Secretary
- Provide sufficient details to enable the Company to identify:
 - The record(s) requested
 - The requester (and if an agent is lodging the request, proof of capacity);
 - The form of access required:
 - The postal address or fax number of the requester in the Republic;
 - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right;
- All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by this Act, including the manner of lodging:
 - an internal appeal (Section 75);
 - an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision of the head of a private body (Section 78).
- **NOTES:** *According to the Act if one is refused access to information, they have a right to make an internal appeal (for more information on this refer to Section 75 which outlines a manner of making an internal appeal and all the fees required). Should an internal appeal fail one can take the matter to court (for more information see Section 78).*

7. **PRESCRIBED FEES**

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za, or the website of The Department of Justice and Constitutional Development (under regulations) at www.doj.gov.za.
- Please see annexure B for further details on prescribed fees.

Annexure A

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head: _____

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
--

Full names and surname:

Identity number:

D. Particulars of record

- | | |
|-----|--|
| (a) | 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. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios. |

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- | |
|--|
| <p>(a) A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid.</p> <p>(b) You will be <i>notified of</i> the amount required to be paid as the request fee.</p> <p>(c) The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record.</p> <p>(d) If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption.</p> |
|--|

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record		
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)		
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

G Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

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

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 20 ____

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

Annexure B

Fees for records of private body

The fee for reproduction referred to in section 52(3) of the Act, is as follows:

For every photocopy of an A4-size page or part thereof	R 1,10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R 0,75
For a copy in a computer-readable form on -	
stiffy disc	R 7,50
compact disc	R70,00
For a transcription of visual images, for an A4-size page or part thereof	R40,00
For a copy of visual images	R60,00
For a transcription of an audio record, for an A4-size page or part thereof	R20,00
For a copy of an audio record	R30,00

The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is R50,00.

The access fees payable by a requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

For every photocopy of an A4-size page or part thereof	R 1,10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R 0,75
For a copy in a computer-readable form on -	
stiffy disc	R 7,50
compact disc	R70,00
For a transcription of visual images, for an A4-size page or part thereof	R40,00
For a copy of visual images	R60,00
For a transcription of an audio record, for an A4-size page or part thereof	R20,00
For a copy of an audio record	R30,00

To search for the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search.

The actual postal fee is payable when a copy of a record must be posted to a requester.

For purposes of section 54(2) of the Act the following applies:

Six hours as the hours to be exceeded before a deposit is payable: and one third of the access fee is payable as a deposit by the requester.

Appeal fees

The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3) (a) of the Act is R50,00.

Value-added tax

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of these regulations.