

## INFORMATION MANUAL

SENIORS' FINANCE (PTY) LTD

in terms of Section 51 of the Promotion of Access to Information Act, No 2 of 2002

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Compiled : 11 September 2006

**Seniors' Finance (Pty) Ltd**

**(Registration number 2005/039721/07)**

### INFORMATION MANUAL

compiled in terms of section 51 of the  
PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (the Act)

This manual is available for inspection free of charge at the offices of Seniors' Finance (Pty) Ltd. Furthermore, copies have been lodged with the South African Human Rights Commission.

The manual is published on our website ([www.seniorsfinance.co.za](http://www.seniorsfinance.co.za)).

Last updated : 11 September 2006

### INTRODUCTION TO INFORMATION MANUAL:

Section 32(1)(h) of the Constitution of the Republic of South Africa provides for the right of access when information is required for the exercise or protection of rights.

The Promotion of Access to Information Act, 2000 gives effect to this constitutional right and sets out the requirements and conditions. In terms of section 51 of this Act, each private body is required to issue an Information Manual, to be lodged with the SA Human Rights Commission and, where applicable, a copy must be available on the organisation's website.

#### 1: Contact details

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Information Officer:	Lisa Stott
Postal address:	PO Box 787322 Sandton 2146
Street address:	Alexander Forbes Place, 61 Katherine Street, Sandown 2196
Telephone number:	011 269 0670
Fax number:	011 263 2704
E-mail address:	<a href="mailto:enquire@seniorsfinance.co.za">enquire@seniorsfinance.co.za</a>
Website:	<a href="http://www.seniorsfinance.co.za">www.seniorsfinance.co.za</a>

## 2. Request for information

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In terms of the Act, a requester must be given access to any record of a private body if:

- that record is required for the exercise or protection of any rights;
- that person complies with the procedural requirements in the Act relating to a request for access to that record and
- access to that record is not refused in terms of the grounds for refusal as set out in Chapter 4 of Part 3 of the Act.

## 3. Procedures to be followed to request access to a record

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### 3.1 Access to Information Officer and to service centres

Any person who wishes to access a record from Seniors' Finance (Pty) Ltd may contact the Information Officer whose contact details are as set out above.

### 3.2 Prescribed Access Form

In terms of Section 53 of the Act, a request for access to a record of Seniors' Finance (Pty) Ltd must be made in the prescribed form to the Head of Seniors' Finance (Pty) Ltd, through the Information Officer at the address, fax number or electronic mail address as set out above. [s 53(1)]

A request in terms of the Act requires the completion of the prescribed request for access form. The form requires the requester to provide certain information. The requester must provide sufficient detail on the request form to enable the private body to identify the record and the requester. [s 53(2)]

<b>Request For Access To Record Of Private Body</b>
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)): [Regulation 10]
The request form is set out in Government Gazette No. 23119 dated 15 February 2002. A specimen of the request form is attached as Annexure A, in the block at the end of this Information Manual.

The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right. [s 53(2)(d)]

If a request is made on behalf of another person, the requester must then submit proof in which capacity the requester is making the request to the satisfaction of the head of the private body. [s 53(2)(f)]

The prescribed time periods will not commence until the pertinent information has been furnished to the Information Officer.

### 3.3 Fees

There are two types of fees payable:

- request fee
- access fee.

### Request fee

Where a request fee is payable, the head of the private body must give the requester notice, requiring payment of the prescribed request fee before further processing the request [s 54(1)]. Section 54(3)(b) of the Act allows an application to the court against payment.

- **Personal information**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.

### Access fee

If the request is granted then an access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. [s 54(6)]

Seniors' Finance (Pty) Ltd may withhold a record until the requester has paid the applicable fees.

Amount of fees:
<b>FEES IN RESPECT OF PRIVATE BODIES</b>
The amount of the fees payable at any point of time are as set out on the website of SAHRC: <a href="http://www.sahrc.org.za/fees_forms_priv_bodies.PDF">http://www.sahrc.org.za/fees_forms_priv_bodies.PDF</a> . The amount of these fees may be amended by regulation. For your convenience, see <b>Annexure B</b> at the end of this Information Manual for a link to the fees applicable at the date of compilation of this manual

#### 4. The 'Section 10 Guide' - Human Rights Commission Guide

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Should a requester require further clarity, the requester is referred to the South African Human Rights Commission's Guide which is published in terms of Section 10 of the Act and is available for inspection by the public at the offices of:

South African Human Rights Commission  
PAIA Unit  
Private Bag 2700  
Houghton  
2041

Telephone 011 484 8300 or Fax 011 484 0582 or at [www.sahrc.org.za](http://www.sahrc.org.za) or e-mail [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za).

#### 5. Records

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The following are the categories of records held by Seniors' Finance (Pty) Ltd. Examples of the types of records in the various categories are also listed.

##### In respect of other legislation

Records are available in accordance with the following legislation:

- Administration of Estates Act 66 of 1965
- Alienation of Land Act 68 of 1961
- Arbitration Act 42 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Broad Based Black Economic Empowerment Act

- Companies Act 61 of 1973
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Credit Agreements Act 75 of 1980
- Currency and Exchanges Act 9 of 1933
- Custody and Administration of Securities Act 85 of 1992
- Debt Collectors Act 114 of 1998
- Deeds Registries Act 47 of 1937
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Harmful Business Practices Act 23 of 1999
- Income Tax Act 95 of 1967
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1999
- National Credit Act 34 of 2005
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Regional Services Councils Act 109 of 1985
- SA Reserve Bank Act 90 of 1989
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Usury Act 73 of 1968
- Value Added Tax Act 89 of 1991

Please note that the above list of legislation is not exhaustive

### Subjects and categories of records held

Seniors' Finance (Pty) Ltd's personal, confidential, commercial, research and other records are held by the Company.

<b>Company records</b>	
Financial	Human resources management
Company law records	Information & communication technology
Statutory returns	Shareholder information and communication

<b>People and organisations</b>	
Customers	Bankers and financial advisers
Employees	Other professional advisers
Shareholders	Service and product providers
Third parties	Other suppliers and contractors
Regulatory bodies	Subsidiaries and associates
Industry bodies	Social responsibility grantees

<b>Products and services</b>	
Home equity release loans	

<b>Categories of records</b>	
Confidential records	Client contacts and profiles
Statutory reports	Client risk programmes
Personal records	Lending criteria
Contracts and policies	Loan agreements
Planning	Continuing covering mortgage bonds
Performance	Technical and internal information
Compliance	Internal manuals
Quality control	Suretyships
Financial and accounts	Surveys and information: clients
Commercial	Company incorporation documents
Names of directors	Third party contracts
Agreements and application forms	Supplier and outsource contracts
Licences and statutory approvals	External and internal newsletters
Staff records	Standards and procedures
Staff benefit plans	Organisational structure
Staff rules and codes	Job descriptions
Operational records	Skills development records
Publicity material	Training material and programmes
Procurement records	Records held by officials
Securities and assets	Client credit histories and assessments

## 6. Grounds for Refusal of a Request

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A request may be declined in accordance with one of the prescribed grounds for refusal of the request in terms of the Act, and these are set out, inter alia, in Sections 63, 64, 65, 66, 67, 68, and 69 of the Act. In such an event, Part 4 of the Act allows a requester to appeal the decision or to apply to court.

<b>ANNEXURES</b>	
The following documents (as at 11 September 2006 which is the date of compilation of the manual) are attached as Annexures to this Information Manual.	
<b>ANNEXURE A</b>	PRESCRIBED FORM IN RESPECT OF PRIVATE BODIES
<b>ANNEXURE B</b>	FEES IN RESPECT OF PRIVATE BODIES

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## ANNEXURE A

### ANNEXURE A : PRESCRIBED FORM IN RESPECT OF PRIVATE BODIES

**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:

Telephone number/s: ( )

Fax 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 ONLY if a request for information is made on behalf of another 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.***

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record

**E. Fees**

(a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*

(b) *You will be notified of the amount required to be paid as the request fee.*

(c) *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*

(d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

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:

Mark the appropriate box (below) with an X.

NOTES:

(a) *Compliance with your request in the specified form may depend on the form in which the record is available.*

(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.*

(c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

**1. If the record is in written or printed form:**

copy of record\*

inspection of record



## ANNEXURE B

### ANNEXURE B: FEES IN RESPECT OF PRIVATE BODIES

The amount of the fees payable are as set out on the website of SAHRC:

[http://www.sahrc.org.za/fees\\_forms\\_priv\\_bodies.PDF](http://www.sahrc.org.za/fees_forms_priv_bodies.PDF). The amount of these fees may be amended by regulation. For convenience, we have shown the fees applicable as at the date of our manual - September 2006.

Note:-

These are the fees as at the time of the compilation of the manual in September 2006

These fees will change as the legislation and regulations change

VAT is to be added to these fees

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof
2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - a) For every photocopy of an A4-size page or part thereof R1,10
  - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
  - c) For a copy in a computer-readable form on -
    - (i) stifty disc R7,50
    - (ii) compact disc R70,00
  - d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00  
(ii) For a copy of visual images R60,00
  - e) (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00  
(ii) For a copy of an audio record R30,00
3. The **request fee** payable by a requester, other than a personal requester, referred to in regulation 11(2) R50,00
4. The **access fees** payable by a requester referred to in regulation 11(3) are as follows:
  - 4.(1) a) For every photocopy of an A4-size page or part thereof R1,10
  - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
  - c) For a copy in a computer- readable form on -
    - (i) stifty disc R0,75
    - (ii) compact disc R70,00
  - d) (i) For a transcription of visual images, for an A4 size page or part thereof R40,00  
(ii) For a copy of visual images R60,00
  - e) (i) For a transcription of an audio record, for an A4 size page or part thereof R20,00  
(ii) For a copy of an audio record R30,00
  - f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
- 4.(2) For purposes of section 54(2) of the Act, the following applies:
  - (a) Six hours as the hours to be exceeded before a **deposit** is payable; and
  - (b) one-third of the access fee is payable as a **deposit** by the requester.
- 4.(3) The actual **postage** is payable when a copy of a record must be posted to a requester