



## PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

### MANUAL ON FUNCTIONS OF, AND INDEX OF, RECORDS HELD BY FAMILY WEALTH CUSTODIANS (PTY) LTD

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## 1. INTRODUCTION

The nature of work is financial services, including wealth, risk and fiduciary.

## 2. LOCATION

Offices of FAMILY WEALTH CUSTODIANS (PTY) LTD are at:

17 l'Ideal Close, Paarl, 7646

## 3. INFORMATION OFFICER

The Information officer for FAMILY WEALTH CUSTODIANS (PTY) LTD is:

MRS ANEMIKE SWART

## 4. GUIDE ON HOW TO USE THE ACT

FAMILY WEALTH CUSTODIANS (PTY) LTD does not currently have a hard copy of this guide, as produced by the South African Human Rights Commission. However, an electronic version of the Guide can be accessed at <http://www.sahrc.org.za>.

For a hard copy of the guide and for any further information on how the requester can get access to the Guide other than through the link provided above please contact:

The Research & Documentation Department

South African Human Rights Commission.

Postal address: Private Bag 2700 HOUGHTON 2041.

Telephone: 011 484 8300

Facsimile: 011 484 1360

Website: [www.sahrc.org.za](http://www.sahrc.org.za)



## 5. OTHER LEGISLATION

FAMILY WEALTH CUSTODIANS (PTY) LTD also holds information in terms of the following legislation:

- a) Basic Conditions of Employment No. 75 of 1997
- b) Companies Act No. 61 of 1973
- c) Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- d) Employment Equity Act No. 55 of 1998
- e) Income Tax Act No. 95 of 1967
- f) Labour Relations Act No. 66 of 1995
- g) Occupational Health & Safety Act No. 85 of 1993
- h) Skills Development Levies Act No. 9 of 1999
- i) Skills Development Act No. 97 of 1998
- j) Unemployment Contributions Act No. 4 of 2002
- k) Unemployment Insurance Act No. 63 of 2001
- l) Value Added Tax Act No. 89 of 1991.

## 6. RECORDS HELD BY THE ORGANISATION

### 6.1 Records Management System

Where practicable, records are kept in electronic format. Where records cannot be transferred or cannot be converted to electronic form such documents are filed and stored in shelves managed by each unit.

### 6.2 Categories of records held:

#### 6.2.1 Administration (includes Office of the Chief Operating Officer).

- Financial Reports



- Financial and management reports
- Banking records
- Audited Financial statements
- Income tax statements
- Files relating to the appointment of staff
- Insurance
- Funding agreements
- Correspondence with funders
- Financial and management reports
- Work reviews, appraisals, leave forms etc.
- Correspondence with the law society
- Records of advocacy campaigns
- Information gathered at various conferences
- Information on access to information in various countries
- Requisitions and Invoices.

#### 6.2.2 Research:

- PMG minutes
- Report by UN Special Rapporteur (Freedom of Expression)
- Books on Human Rights
- Government Gazettes
- Copies of Hansards
- PAIA Survey Questionnaires
- Resource material on the Office of the Public Protector
- International Publications on access to information
- Directory of Public and Private institutions
- Documents of local & international case law on the right to information



- Documents on Access to Information in other countries
- Documents on the history of PAIA
- PAIA Manuals of other public and private bodies
- Research papers and reports.

## 7. CATEGORIES OF RECORDS AVAILABLE WITHOUT RECOURSE TO THE PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

FAMILY WEALTH CUSTODIANS (PTY) LTD also holds some documents which are already available to the public and records which can be accessible without using PAIA.

### 7.1 Administration (includes Office of the Chief Operating Officer)

- Audited Financial statements
- Records of advocacy campaigns
- Information gathered at various conferences
- Information on access to information in various countries.

### 7.2 Research

- PMG minutes
- Report by UN Special Rapporteur (Freedom of Expression)
- Books on Human Rights
- Government Gazettes
- Copies of Hansards
- Directory of Public and Private institutions
- Documents of local & international case law on the right to information
- Documents on Access to Information in other countries
- Documents on the history of PAIA
- PAIA Manuals of other public and private bodies



- Research papers and reports

## 8. ACCESSING RECORDS HELP BY FAMILY WEALTH CUSTODIANS (PTY) LTD THROUGH PAIA.

All requesters should send their requests, on prescribed request forms (attached), to the Information Officer. The process detailed below has been endorsed by the South African Human Rights Commission. (See <http://www.sahrc.org.za/guideline.doc> )

### 8.1 The Process

- a) The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer. This request must be made to the address, fax number or electronic mail address of the body concerned.
- b) The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- c) 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.
- d) If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

### 8.2 Fees

- a) 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.
- b) The Information Officer must notify the requester (other than a personal requester) by



notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

c) The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

d) After the Information Officer has made a decision on the request, the requester must be notified in the required form.

e) If the request is granted then a further 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.

### 8.3 Prescribed fees

#### **The fees (as per Government Notice No. R. 187) are :**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c)1 is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction are as follows:

	R
a) For every photocopy of an A4-size page or part thereof.	1,10
b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form.	0,75
c) For a copy in a computer-readable form on -	
i) stifty disc,	7,50
ii) compact disc,	70,00
d) (i) For a transcription of visual images, for an A4-size page or part thereof,	40,00
ii) For a copy of visual images,	60,00
e) (i) For a transcription of an audio record for an A4-size page or part thereof,	20,00
ii) For a copy of an audio record.	30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is, 50,00
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

1 (a) For every photocopy of an A4-size page or part thereof,	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form,	0,75
(c) For a copy in a computer-readable form on -	
(i) stifty disc,	7,50
(ii) compact disc,	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof,	40,00
(ii) For a copy of visual images,	60,00
(e) (i) For a transcription of an audio record for an A4-size page or part thereof,	20,00
(ii) For a copy of an audio record.	30,00
(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.	



## 9. APPEALS

In terms of PAIA [Section 56(3)(c)] a requester may lodge an application with a court, within 30 days of being informed of any decision of an Information Officer of FAMILY WEALTH CUSTODIANS on any request, for relief against the refusal of the request, and the procedure (including the period) for lodging the application.

## 10. SERVICES OF THE ORGANISATION

For more information on the services of FAMILY WEALTH CUSTODIANS (PTY) LTD please send your inquiries to:

Mrs A Swart

Tel Number: 0832748745

E-mail: [info@familywealth.co.za](mailto:info@familywealth.co.za)

## 11. AVAILABILITY OF THE MANUAL

FAMILY WEALTH CUSTODIANS (PTY) LTD's PAIA manual shall be made available to the public for inspection at our offices. A copy of our manual will also be available from the South African Human Rights Commission.





## 12. FORMS

### FORM C

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

Full names and surname:

Identity number:

- (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.



**D PARTICULARS OF RECORD**

- (a) Provide full particulars of the record to which access is requested, including the reference number ITF that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue 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**

- (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:
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**Mark the appropriate box with an X.**

**NOTES:**

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



**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 \_\_\_\_\_ this \_\_\_\_\_ day of 20\_\_\_\_

.....

**SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE**



- (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.

<b>1. If the record is in written or printed form:</b>			
	copy of record*		inspection of record
<b>2. If record consists of visual images</b> (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	view the images		copy of the images* transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	printed copy of record*		printed copy of information derived from the record* 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? <b>Postage is payable.</b>			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:

.....  
.....