

## 1. Introduction

The Promotion of Access to Information Act 2 of 2000 (“PAIA”) gives effect to section 32 of the Constitution, which provides that everyone has the right to access to information held by the State, as well as to information held by another person (or private body) when such privately held information is required to exercise or protect a right. Any such requests must comply with the procedural requirements laid down in PAIA.

The Protection of Personal Information Act 4 of 2013 (“POPIA”) requires that when processing personal information, a responsible party should give effect to the constitutional right to privacy by safeguarding personal information, subject to justifiable limitations aimed at balancing the right to privacy against other rights, particularly the right of access to information. A “responsible party” is the person who, alone or in conjunction with others, determines the purpose and means of processing personal information. “Processing information” refers to any operation or activity (or set of operations) making use of personal information.

A “data subject” is the person to whom the personal information relates, and an “operator” processes personal information for a responsible party in terms of a contract or mandate, but without coming under the direct authority of that party.

In terms of PAIA, “personal information” refers to information relating to an identifiable person – including but not limited to:

- Information relating to the race, gender, sex, pregnancy, marital status, national origin, ethnic origin, social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the data subject;
- Information relating to the education, medical, criminal or employment history of the data subject, or information relating to a financial transaction in which the data subject has been involved;
- Any identifying number, symbol or other particular assigned to the data subject;
- The address, fingerprints or blood type of the data subject;
- The personal opinions, views or preferences of the data subject, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- Correspondence sent by the data subject that is implicitly or explicitly of a private or confidential nature, or further correspondence that would reveal the contents of the original correspondence;
- The views or opinions of another individual about the data subject;
- The views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the data subject, excluding the name of the other individual where it appears with the views or opinions of that individual; and
- The name of the data subject where it appears with other personal information relating to the data subject or where the disclosure of the name itself would reveal information about the data subject.
- It excludes information about an individual who has been dead for more than 20 years.
- A “Record” means any recorded information of all forms (including written, electronic, labelled, illustrative, or visual records) that we possess or control, whether or not we created them or when they came into existence.
- “Special personal information” means specific types of special personal information which are set out in POPIA with general and special processing grounds. Special Personal information is personal information about religious or philosophical beliefs, race or ethnicity, trade union membership or political persuasion, health or sex life, biometric information and criminal behaviour.

## 2. Scope

This manual applies to Sygnia Limited and all its subsidiary companies (referred to herein as “Sygnia”). Access to the records of any subsidiary company of Sygnia Limited may be requested from the Information Officer at the contact details specified in this manual.

## 3. Information officer

The Information Officer appointed in terms of PAIA is the same as the Information Officer referred to in POPIA. The Information Officer may appoint Deputy Informant.

## 4. Contact details

Information Officer: Magda Wierzycka  
Deputy Information: Charmaine Tew  
Physical address: 7th Floor, The Foundry, Cardiff Street, Green Point, Cape Town, 8001  
Telephone number: 021 446 2436  
Website: [www.sygnia.co.za](http://www.sygnia.co.za)  
Email: [InformationOfficer@sygnia.co.za](mailto:InformationOfficer@sygnia.co.za)

## 5. The PAIA guide

In terms of Section 10 of PAIA, the South African Human Rights Commission compiled a guide outlining the information and steps required by a person wishing to exercise any right contemplated under PAIA. The guide is available in all official languages.

The current guide is available for inspection at the offices of the South African Human Rights Commission or on its website, [www.sahrc.org.za](http://www.sahrc.org.za).

## 6. Access to personal information

POPIA provides that a data subject may, upon proof of identity, request the responsible party to confirm, free of charge, all the information it holds about the data subject and may request access to such information about the identity of third parties who have or have had access to such information.

## 7. Categories of data subjects

Sygnia holds information and records on the following categories of data subjects:

- Employees and directors;
- Clients and their authorised representatives or agents;
- Service providers;
- Subscribers to webinars and events;
- Website users.

## 8. Recipients of personal information

Depending on the nature of the personal information, Sygnia may share information or records with the following categories of recipients:

- Subsidiary companies within the Sygnia Group, including employees;
- Third party suppliers;

- Regulatory and government authorities or ombudsmen or other authorities, including tax authorities, where Sygnia has a duty to share information;
- Industry bodies;
- Pension fund administrators;
- Claimants or beneficiaries.

## 9. Purpose of categories and records

Sygnia uses personal information in its possession in the following ways:

- Provide financial services and products;
- Promote Sygnia’s services and products;
- Staff administration;
- Keep accounts and records;
- Comply with legal and regulatory requirements.

The purpose for which personal information is processed by Sygnia will depend on the nature of the personal information and the particular data subject. The purpose is ordinarily disclosed, explicitly or implicitly, at the time the personal information is collected.

“Processing information” may include:

- Collecting, receiving, recording, organising, collating, storing, updating, modifying, retrieving, altering, consulting or use;
- Disseminating by means of transmission, distribution or making available in any other form;
- Merging or linking;
- Blocking, degrading, erasing or destroying information.

We hold the following categories of Records:

Category of Record	Description of Record	Automatically Available?
Financial Records	Accounting Records	No
	Annual Financial Statements	No
	Asset Registers	No
	Bank Statements (including electronic and other banking records)	No
	Banking details	Yes
	Various invoices, e.g., Debtors / Creditors invoices and statements, procurement, and any other invoices	No
	Financial procedures	No
	Tax records	No
	Any other documents relating to the taxation of the Company	No
	Rental Agreements	No
	Payroll records	No
Company Records	All trust deeds	No
	Written Resolutions	No
	Documents of Incorporation	* BizPortal
	Memorandum of Incorporation	* BizPortal
	Minutes of Board of directors and/or Shareholders meetings	No
	Proxy forms	No
	Records relating to the appointment of directors, auditors, company secretary, public officers, or other officers (or their resignation/termination)	* BizPortal
	Share register and other statutory registers	No
	Share certificates	No

Insurance Records	Insurance Records	No
	Insurance policies held by the company Register of all immovable property owned by the company	No
Client Information	Customer details	No
	Contact details of clients, lead, or prospects	No
	Correspondence with the clients	No
	Sales records	No
	Transactional information	No
	Marketing records/proposals Information and records provided by a third party	No
Published Information	Internal newsletters and circulars	No
	External newsletters and circulars	Yes
	Advertising and promotional material	No
Personnel Records	List of employees	No
	Employee personal information	No
	Conditions of Employment and other employee-related contractual and quasi-legal records	No
	Disciplinary Code and Records	No
	Documents issued to employees for income tax purposes	No
	Employment Contracts	No
	Employment Equity Plan	No
	Grievance Procedures	No
	Leave records	No
	Medical aid records	No
	Pension and Provident Fund Records	No
	Remuneration Records	No
	SETA records	No
	General employee correspondence	No
	Training records and manuals	No
	Evaluation documents	No
MIE screening	No	
Other statutory records	No	
CCMA records	No	
IT Records	Computer / mobile device usage policy documentation	No
	Disaster recovery plans	No
	Hardware asset registers	No
	Information security policies/standards/procedures	No
	Information technology systems and user manuals	No
	Information usage policy documentation	No
	Project implementation plans	No
	Software licensing	No
	System documentation and manuals	No
Contracts	Standard Agreements	No
	Contracts concluded with clients	Yes
	Non-Disclosure Agreements	No
	Letters of intent MOU's	No
	Third party contracts	No
	Office management contracts	No
	Supplier contracts	No
Policies	Internal policies relating to employees and the company	No
	External policies relating to clients and other third parties.	No
Business Records	Standard Terms and Conditions for supply of services and products	No
	Contractor, client, and supplier agreements	No
	Lists of suppliers, products, services, and distribution	No
	Policies and Procedures	No

Income Tax Records	PAYE Records	No
	Corporate tax records	No
	Documents issued to employees for income tax purposes	No
	Records of payments made to SARS on behalf of employees	No
	VAT Records	No
	Regional Services Levies	No
	Skills Development Levies	No
	UIF	No
Procurement Records	Workmen's Compensation	No
	Standard Terms and Conditions for supply of services and products	No
	Contractor, client, and supplier agreements	No
	Lists of suppliers, products, services, and distribution	No
	Policies and Procedure	No

\* Records available from BizPortal via BizProfile, a search tool for all companies registered on the Companies and Intellectual Property Commission ("CIPC").

## 10. Recipients of personal information

Depending on the nature of the personal information, Sygnia may share information or records with the following categories of recipients:

- Subsidiary companies within the Sygnia Group, including employees;
- Third party suppliers;
- Regulatory and government authorities or ombudsmen or other authorities, including tax authorities, where Sygnia has a duty to share information;
- Industry bodies;
- Pension fund administrators;
- Claimants or beneficiaries.

We may provide certain of the personal information of data subjects to the following persons for our purposes (specified above), for example to the extent that they may provide services contracted by us, to perform statutory duties, as required by legislation, to determine complaints and to provide services to clients.

To whom do we provide personal information?	What personal information do we provide?
Medical scheme and broker	Employees medical scheme choices and dependant's information
Retirement Fund and administrator	Employees' and dependants' information
Marketing/ advertising provider	Employees' details, CV, photo
SARS	Employees' remuneration details (if required)
Rating Agency	Transformation information of employees and directors
FIC	Information required under FICA related to clients
SCA, the Information Regulator and relevant Authorities	Employee, director and client information as requested by the Authority. Fit and proper information
Ombud, the Financial Services Tribunal and court appointees	Employee, director and client information as relevant
Our auditors	Information requested as part of the audit
Our compliance providers	Information requested for compliance purposes
Our lawyers and legal providers	Personal information related to litigation, opinions and regulatory work
Our insurers and brokers	Personal information related to taking out insurances, claims and correspondence - employees, directors and clients' information.

Our clients and potential clients (and their service providers)	Employees and directors – due diligence and fit and proper information, name, contact details, memberships
Retirement fund administrators	Details of traced members, former members and potential beneficiaries
Our website and IT and application providers	Access to systems e.g. email, employee, director and client information
Other companies in the Sygnia group of companies	Client related information
Other persons lawfully entitled to receive personal information from us	As relevant

## 11. Records kept in terms of legislation

Sygnia keeps records and information in terms of the following legislation:

- Basic Conditions of Employment Act 75 of 1997;
- Broad-based Black Economic Empowerment Act 53 of 2003;
- Collective Investment Schemes Control Act 45 of 2002;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Copyright Act 98 of 1978;
- Electronic Communications and Transactions Act 25 of 2002;
- Employment Equity Act 55 of 1998;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- Financial Intelligence Centre Act 38 of 2001;
- Financial Institutions (Protection of Funds) Act 28 of 2001;
- Financial Markets Act 19 of 2012;
- Income Tax Act 58 of 1962;
- Inspection of Financial Institutions Act 80 of 1998;
- Insurance Act 18 of 2017;
- Labour Relations Act 66 of 1995;
- Long-Term Insurance Act 52 of 1998;
- Medical Schemes Act 131 of 1998;
- Occupational Health and Safety Act 85 of 1993;
- Pension Funds Act 24 of 1956;
- Prevention of Organised Crime Act 121 of 1998;
- Prevention and Combatting of Corrupt Activities Act 12 of 2004;
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Act 97 of 1998;
- Trademarks Act 194 of 1993;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 89 of 1991.

## 12. Publicly available records

The following records are publicly available on Sygnia’s website and do not require a request for access:

- The Group’s annual financial statements;

- The Group’s annual integrated reports;
- The Group’s interim reports;
- Marketing material.

### 13. Records available on request

The information held by Sygnia is divided into various information categories to give a broad indication of the information subjects and categories.

Please note that recording the category of record in the Manual does not guarantee that a request for access to such records will be granted. All requests will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

“Employees” refers to all employees employed by Sygnia and includes temporary, permanent and contracted employees and agents.

Category	Record	Data subject
Regulatory and Administrative	Permits, licenses or authorities	Company
	Public corporate records	Company
	Minutes of Board or Committee meetings	Company
	Internal correspondence (emails/memos)	Employees
	Insurance policies held by Sygnia	Company
	External correspondence (emails/memos)	Stakeholders
Human Resources	Employment applications	Employees
	Employment contracts	Employees
	Personal information of employees	Employees
	Medical aid records	Employees
	Employment equity plan	Company
	Pension fund records	Employees
	Disciplinary records	Employees
	Salary records	Employees
	Employee benefit records	Employees
	PAYE records	Employees
	SETA records	Employees
	Leave records	Employees
	Training records	Employees
Financial	Financial statements	Company
	Financial and tax records	Company
	Management accounts and reports	Company
	Asset register	Company
	Budgets	Company
	Cash books and ledgers	Company
	Banking records and statements	Company
Client	Client database	Client
	Client agreements	Client
	Client correspondence	Client
	Client instructions	Client
Third Party	Rental agreements	Third Party
	Non-disclosure agreements	Third Party
	Letters of intent	Third Party
	Supplier contracts	Third Party
	Outsourcing agreements	Third Party

## 14. Cross-border transfers of information

It may be necessary to share the personal information of data subjects with third parties in other countries or on data servers hosted outside South Africa. Such sharing will be done in compliance with POPIA and on the understanding that:

- a) The third party is subject to a law, binding corporate rules or binding agreement that provides an adequate level of data protection similar to South Africa's;
- b) The data subject consents to the transfer;
- c) The transfer is necessary for the performance of a contract between the data subject and Sygnia or for the implementation of pre-contractual measures;
- d) The transfer is necessary for the conclusion of a contract between the data subject, Sygnia and a third party;
- e) The transfer is for the benefit of the data subject and it is not reasonably practicable to obtain the consent of the data subject – or if it were, the data subject would likely give it.

## 15. Information security

Sygnia employs up-to-date technology to ensure the confidentiality, integrity and availability of the personal information in its possession. Measures include:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- Secure setup of the hardware and software that makes up the IT infrastructure;
- Outsourced service providers who may process personal information on behalf of the company are contracted to implement the necessary security controls.

## 16. PAIA procedure

Any person (known as the “requester”) can make a request under PAIA. When a request for access is received, the Information Officer will notify the requester of receipt and of the prescribed fee (if any) prior to processing the request.

Requesters pay a fee when requesting access to records other than their personal information, as administration costs may be associated with the retrieval of certain types of information records. The fees for requesting and/or accessing records are set out in the FEES SCHEDULE, which is available from the Information Regulator's website.

Any request for a Record must be submitted in terms of [PAIA FORM 02-ACCESS TO RECORDS](#). This form must be completed in full and must be submitted with any other information required to consider the request. Proof of identity must be submitted with the form. If the request is made on behalf of another person, proof of the capacity in which the person is making the request must be provided (known as the “authorised person”).

If a person is unable to complete the prescribed form because of illiteracy or disability, they may make the request orally.

Information will not be provided unless the requester provides clear and sufficient details of the right the requester is seeking to protect and an explanation of why the requested information is necessary for the exercise or protection of that right.

## 17. Request for information

Sygnia has authorised and designated its Information Officer to deal with all matters relating to the PAIA Act to comply with our obligations in terms of the PAIA Act.

- When requesting a Record, sufficient detail must be provided on the request form to enable the designated head of Sygnia to identify the record and the requester.
- The requester should indicate which form of access is required.
- The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

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.

- 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 designated head of the private body.
- 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.
- The designated head of the private body 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.
- After the designated head of the private body has decided on the request, the requester must be notified in the required form.
- 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.

If you would like to request that we correct, delete or destroy your Personal Information, please use the following which is available from the Information Regulator's website at [POPIA FORM – REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION](#).

If you object to the Processing of your Personal Information, please complete and submit [POPIA FORM 01-OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION](#).

## 18. Right of access

The Information Officer may only provide access to a record held by Sygnia if:

- The record is required for the exercise or protection of any right; and
- The requester has complied with the procedural requirements to request access to that record; and
- Access to that record is not refused in terms of any of the grounds for refusal listed below.

## 19. Grounds for refusal

The Information Officer must assess whether there are any grounds for refusing a request for access. Where any grounds for refusal are found, request for access will generally not be granted.

Grounds for refusal include (but are not limited to):

- Protection of privacy of a third party who is a natural person, where disclosure would require the unreasonable disclosure of personal information about the third party (including a deceased individual);
- Protection of commercial information of a third party;
- Protection of certain confidential information of a third party;
- Protection of the safety of individuals and protection of property;
- Protection of information in legal proceedings;
- Protection of commercial information of a private body;
- Protection of research information.

If a request for access is denied, Sygnia will advise the requester of the reason for refusal of access.

Remedies available to you if we refuse your request:

### Internal remedies

We do not have internal appeal procedures. The decision made by the Information Officer is final. You will have to exercise external legal remedies at your disposal if the request for information is refused, and you are not satisfied with the answer.

### External remedies

If you are not satisfied by our decision, for example for refusing access, for imposing access fees, or for extending the time period in which the response is due, you may apply to court for relief within 180 days of receiving the decision. Our decision will be reviewed by a court and a decision will be made by the courts as to whether or not to provide access to the requested records. Please see the Information Regulator's Guide referred to above for more information about your remedies.

If a request for access is denied, Sygnia will advise the requester of the reason for refusal of access.

## 20. Records that cannot be found or do not exist

If all reasonable steps are taken to find a requested record but it cannot be found or does not exist, the requester will be notified by way of affidavit or affirmation.

## 21. Processing personal information of children

It may be necessary to process the personal information of children. Such processing will be done in compliance with POPIA and on the understanding that Sygnia has authorisation to do so by law or from the Information Regulator.

A responsible party may rely on certain grounds to process the personal information of children:

- If it occurs with the prior consent of a competent person.
- Where it is necessary for the establishment, exercise or defence of a right or obligation in law
- It is necessary to comply with international public law
- For historical, statistical, or research purposes where:
  - I) it is in the public interest and is necessary for a specific purpose
  - II) processing does not adversely affect the individual privacy of the child
  - III) the child deliberately publicised their personal information with a competent person's consent

## 22. Availability of the manual

This manual is available from Sygnia's offices and in electronic format at [www.sygnia.co.za](http://www.sygnia.co.za).