

PROTECTION OF PERSONAL INFORMATION ACT (PAIA)

COMPLIANCE POLICY

HCI Financial Services (Pty) Ltd

FSP Licence no. 7605

PAIA Compliance Policy

1. CONTEXT

Any private body (business in the private sector) is required to prepare a manual in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended), for purposes of providing clarity on the records held by such body and the manner of and circumstances under which records will be made available to the public.

2. SCOPE AND PURPOSE

This PAIA Manual is useful for the public to:

- 2.1 Check the categories of records held by a body which are available without a person having to submit a formal PAIA request.
- 2.2 Have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records, and the categories of records held on each subject.
- 2.3 Know the description of the records of the body which are available in accordance with any other legislation.
- 2.4 Access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access.
- 2.5 Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 2.6 Know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.7 Know the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.8 Know the recipients or categories of recipients to whom the personal information may be supplied.
- 2.9 Know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
- 2.10 Know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ROLES AND RESPONSIBILITIES

The responsibility for PAIA compliance is determined by legislation and therefore the persons as set out in Section 4 and 5 are responsible for ensuring this policy is adhered to. The IO of HCI Financial Services (Pty) Ltd will be responsible for carrying out the responsibilities conferred by this Manual. The IO will on a regular basis ensure updating of this manual.

4. LIST OF ACRONYMS AND ABBREVIATIONS

“CEO”	Lesiba Jacob Mathekga
“DIO”	Deputy Information

"IO"	Information Officer
"Minister"	Minister of Justice and Correctional Services
"PAIA"	Promotion of Access to Information Act No. 2 of 2000
"POPIA"	Protection of Personal Information Act No.4 of 2013
"Regulator" or "IR"	Information Regulator
"Republic"	Republic of South Africa

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF HCI FINANCIAL SERVICES

5.1. Head of the Private Body

Name: Lesiba Jacob Mathekga
 Tel: 082 601 5684
 Email: Jacky.Mathekga@csoebs.co.za

5.2. Chief Information Officer

Name: Lesiba Jacob Mathekga
 Tel: 082 601 5684
 Email: Jacky.Mathekga@csoebs.co.za

5.3 Deputy Information Officer

Name: Melandi Botes
 Tel: 084 558 4460
 Email: Melandi.Botes@csoebs.co.za

5.4 Access to information general contacts

Email: Melandi.Botes@csoebs.co.za

5.5 Head Office

Physical Address: Montrose Place, Waterfall Office Park, Vorna Valley, Midrand, 1685

Telephone: +2711 554 1900

Email: info@csoebs.co.za

Website: www.csoebs.co.za

6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

6.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

6.2. The Guide is available in each of the official languages and in braille.

6.3. The aforesaid Guide contains the description of-

6.3.1. The objects of PAIA and POPIA.

6.3.2. The postal and street address, phone and fax number and, if available, electronic mail address of-

6.3.2.1. The Information Officer of every private body, and

6.3.2.2. Every Deputy Information Officer of every private body designated in terms of section 17(1) of PAIA and section 56 of POPIA.

6.3.3. The manner and form of a request for access to a record of a private body contemplated in section 50.

6.3.4. The assistance available from the Regulator in terms of PAIA and POPIA.

6.3.5. All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

6.3.5.1. An internal appeal.

6.3.5.2. A complaint to the Regulator.

6.3.5.3. An application with a court against a decision by the Regulator or a decision of the head of a private body.

6.3.6. The provisions of section 51 requiring a private body to compile a manual, and how to obtain access to a manual.

6.3.7. The provisions of section 52 providing for the voluntary disclosure of categories of records by a private body.

6.3.8. The notices issued in terms of section 54 regarding fees to be paid in relation to requests for access.

6.3.9. The regulations made in terms of section 92.

6.4. Members of the public can inspect or make copies of the Guide. It is available at the office of the Regulator during normal working hours. Copies may be downloaded from the website of the Regulator (<https://info regulator.org.za>).

7. FORM AND MANNER OF ACCESS

7.1 Access to the Guide

7.1.1 The Guide is available for inspection in English and Sesotho at the company office during normal working hours.

7.1.2 The Guide can also be obtained in electronic format upon request from the Information Officer or Deputy Information Officer.

7.2 Access to information in terms of PAIA

- 7.2.1 A requester must complete **Form 2** (available for download from the CSO EBS website) and submit such form to the Information Officer or Deputy Information Officer for consideration of providing the information. The form must be completed in full, and the information sought must be clearly specified. Reasons for the request to access the information must be provided.
- 7.2.2 A requester should also download **Form 3** (available from the CSO EBS website) as guidance on the process that will be followed pursuant to an information access request, as well as the costs involved should an access request be granted.

8. AVAILABILITY OF THE MANUAL

- 8.1 A copy of the Manual is available-
- 8.1.1 On the company website.
- 8.1.2 At the head office of the company for public inspection during normal business hours.
- 8.1.3 To any person upon request and upon the payment of a reasonable prescribed fee.
- 8.1.4 To the Information Regulator (upon request).
- 8.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

9. CATEGORIES OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 9.1 An employee can make a request for his or her personal employee record through the Information Officer if the Employee is unable to access such record through the Human Resources Officer.
- 9.2 The general public and all employees may request through the Information Officer at the contact details listed under section B of this manual:
- 9.1.1 Memorandum of Incorporation.
- 9.1.2 Marketing and company brochures.
- 9.1.3 Media releases.
- 9.1.4 This manual.

10. DESCRIPTION OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE IN ACCORDANCE WITH LEGISLATION

NOTE: A request for access to some classes of information, or specific information, may be refused on legal grounds as being restricted, personal information or subject to governing legislation.

- Basic Conditions of Employment Act, No. 75 of 1997.
- Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003).
- Companies Act, No. 71 of 2008.
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993.
- Electronic Communications and Transactions Act, no. 25 of 2002.
- Electronic Communications Act, 2005 (Act 36 of 2005).
- Employment Equity Act, No. 55 of 1998.
- Income Tax Act, No. 58 of 1962.

- Labour Relations Act, No. 66 of 1995.
- National Payment System Act, No. 78 of 1998.
- Protection of Personal information Act, No. 4 of 2013.
- Protected Disclosures Act, No. 26 of 2000.
- Occupational Health and Safety Act, No. 85 of 1993.
- Skills Development Act, No. 97 of 1998.
- Skills Development Levies Act, No. 9 of 1999.
- Trademarks Act No. 194 of 1993.
- Unemployment Insurance Contributions Act, No. 4 of 2002.
- Unemployment Insurance Act, No. 63 of 2001.
- Value-Added Tax Act, No. 89 of 1991.
- Financial Advisory and Intermediary Services Act, 2002 (Act 37 of 2002).
- Prevention of Organised Crime Act (121 of 1998).
- Financial Intelligence Centre Act (38 of 2001).
- Protection of the Constitutional Democracy against Terrorism Act (33 Of 2004).
- Short-term Insurance Act, No. 53 of 1998.
- Long-term Insurance Act, No. 52 of 1998.
- Pension Funds Act, No. 24 of 1956.
- The Financial Sector Regulation Act, No. 9 of 2017.
- The Insurance Act, No. 18 of 2017.

11. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE COMPANY

NOTE: A request for access to some classes of information, or specific information, may be refused on legal grounds as being restricted, personal information or subject to governing legislation.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Business Continuity Management Plan, Annual Performance Plan.
Risk and Compliance	Various governance policies and frameworks, including a comprehensive risk plan. The company holds various risk policies, drafted in pursuance of governance of risk. The department is responsible for statutory returns to the FSCA and FIC.
Operations	Records of policyholders - Client information - Underwriting records - Claims records - Repudiation and complaints records - Marketing and advertising
Information Technology	Various technology-related risk policies and a comprehensive risk framework. The company owns the intellectual property as it relates to processes and source code: - IT logs - Databases - Data collected - Backups
Finance	- Tax records - Vendor/insurer/supplier data - Payment records

Subjects on which the body holds records	Categories of records
Legal	- Contracts - Litigation
Human Resources	- HR policies and procedures - Advertised posts - Employee records (current and former) - Salary and deduction records

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing Personal Information

SOFS will mainly process personal information of clients, including owners of various life, short-term and health policies. The company will also, incidental to its operations, process personal information of persons it contracts with, which includes employees, service providers and insurer functionaries.

The company is not in a position to provide third parties access to personal information held. In terms of PAIA such requests may be made, but in terms of POPIA the information may only be provided access to with consent of the person or by obtaining a court order.

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Investment clients	Name, address, gender, age, identity numbers of client and family, investment growth, credit information and bank details
Service Providers	Name, registration number, VAT number, address, B-BBEE status and bank details
Employees	Address, qualifications, earnings, health information, gender and race.

12.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

12.4 Planned transborder flows of personal information

The company does not, as required by the insurers and other product houses it deals with, store or process any information outside the borders of South Africa.

12.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

The company has advanced technological systems and security safeguards in place, as required by financial sector legislation. A description of the data protection safeguards is available from the

Information Officer. As data protection safeguards may carry intellectual property of the company, and disclosure of such information poses a risk to its data security, details of risk management protocols and security architecture will not be disclosed.