

**SESHEGO BENEFIT CONSULTING (PTY) LTD
REGISTRATION NO. 2005/005855/07
("the Company")**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, 2000 AND REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION
ACT, 2013
("the Manual")**

1. INTRODUCTION

The Manual is prepared in accordance with section 51 of the Promotion of Access to Information Act, No 2 of 2000 ("PAIA") and the Protection Of Personal Information Act, No 4 of 2013 ("POPIA").

As required in terms of the PAIA, the Fund has compiled the Manual as a guide to requesters of information. In addition, the Manual explains how to access, or object to, or request correction or deletion of, personal information held by the Fund, in terms of paragraphs 23, 24 and 25 of the POPIA and the Regulations.

The Manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in PAIA. Requestors are advised to familiarise themselves with the provisions of PAIA and POPIA before making any requests to the Fund in terms of these Acts. However, in terms of PAIA paragraph 19, and POPIA Regulations paragraphs 2 and 3, the Fund will provide such assistance as is required in completing the necessary forms, by parties:

- 1.1 applying for access to information; or
- 1.2 requesting the correction or deletion of personal information; or
- 1.3 objecting to the processing of personal information.

2. COMPANY INFORMATION AND CONTACT DETAILS OF THE INFORMATION OFFICER

The Company is a juristic body and falls within the definition of a private body as contained in the Promotion of Access to Information Act. The company is required in terms of section 51(1) of the Promotion of Access to Information Act to compile a manual that will facilitate the access of certain information in terms of the Act.

The Company's Managing Director has been duly appointed as Information Officer by the Board, to act as the person to whom requests for access to information must be made in terms of the PAIA and POPIA.

Registered Name	:	Seshego Benefit Consulting (Pty) Ltd
Registered Number	:	2005/005855/07
Registered address	:	Katherine Towers, 1 Park Lane, Wierda Valley, Sandton, Gauteng
Postal address	:	PO Box 412181, Craighall, 2024
Contact telephone number	:	0118028011
Name of the Information Officer	:	Zeenat Badsha
Contact telephone number	:	0118028011
Email address	:	management@seshego.co.za

3. THE GUIDE

The PAIA Manual is available at the Company's principal place of business and on the Company's website. Any information or queries related to the guide, or to PAIA or POPIA should be directed to:

The Information Regulator (South Africa)
PO Box 31533
Braamfontein
Johannesburg
2017
Complaint: complaints.IR@justice.gov.za
General enquiries: infoereg@justice.gov.za.

4. RECORDS AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (section 51(1)(d))

All records kept and made available in terms of legislation applicable to the Company are available in accordance with the applicable legislation. Legislation includes the following:

Basic Conditions of Employment Act, 75 of 1997
Companies Act, 71 of 2008
Compensation for Occupational Injuries and Diseases Act, 130 of 1993
Employment Equity Act, 55 of 1998
Income Tax Act, 58 of 1962
Labour Relations Act No. 66 of 1995
Occupational Health and Safety Act, 85 of 1993
Skills Development Levies Act No. 9 of 1999
Unemployment Insurance Act, 30 of 1966
Value Added Tax Act, 89 of 1991
Protection of Personal Information Act, 4 of 2013
Protection of Personal Information Act Regulations, 2017
Consumer Protection Act, 68 of 2008
Trade Marks Act, 194 of 1993
Copyright Act, 98 of 1978
Electronic Communications and Transactions Act, 25 of 2002
Financial Intelligence Centre Act
Financial Advisory and Intermediaries Services Act, 37 of 2002
Financial Institutions (Protection of Funds) Act, 28 of 2001
Financial Markets Act, No. 19 of 2012
Collective Investment Schemes Control Act, 45 of 2002
Regional Services Councils Act
Pension Funds Act No. 24 of 1956 (PFA) and related PF Circulars
Divorce Act, 70 of 1979
Maintenance Act No. 99 of 1998

5. DESCRIPTION OF RECORDS HELD BY THE COMPANY

Records relating to the following categories may be held by Seshego Benefit Consulting (Pty) Ltd. This list is not exhaustive, and access will be determined upon receiving a request thereto.

Employment Records

Any personal records provided to the Company by their personnel;
Any records a third party has provided to the Company about any of their personnel;
Conditions of employment and other personnel-related contractual and quasi- legal records;
Internal evaluation records; and
Other internal records and correspondence.

Company Records

Financial records;
Operational records;
Databases;
Information technology;
Marketing records;
Internal correspondence;
Records relating to products and services;
Statutory records;
Internal policies and procedures;
Treasury-related records;
Securities and equities; and
Records held by officials of the Company

Client related records

Seshego Benefit Consulting (Pty) Ltd may be in possession of records that pertain to clients. A client includes any natural or juristic entity, who receives services from the Company. Client-related information includes the following:

- Any records a client has provided to a third party acting for or on behalf of the Company;
- Any records a third party has provided to the Company; and
- Records generated by or within the Company pertaining to the client.

Other parties

The Company may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers, including the following:

- Personnel, client or private body records which are held by another party as opposed to being held by the Company; and
- Records held by the Company pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

6. PROCESSING OF PERSONAL INFORMATION

The Company processes personal information in accordance with the current South African privacy legislation (POPIA). In terms of the Company's Policy, the Company will ensure that all processing conditions of POPIA are complied with at the time of processing of personal information. Personal information of both natural and juristic persons is processed by the Company.

6.1. The Purpose of Processing Personal Information by the Company

The Company processes personal information for several purposes, which includes but is not limited to, rendering of services to our clients, employee administration; providing or managing any information on products and services, transacting with our suppliers; maintaining client records, recruitment purposes, apprenticeship and bursary purposes, travel purposes, general administration, financial and tax purposes, legal purposes, health and safety purposes, visitor access monitoring purposes, managing the premises and facilities, investigating of and preventing fraud, debt recovery and responding to website enquiries.

6.2. Categories of Data Subjects and Personal Information Processed by the Company

Categories of data subjects and personal information processed by the Company include the following:

Categories	Categories of Personal Information held
Employees	ID number, contact details, physical and postal address, date of birth, age, marital status, race, disability information, employment history, criminal/background checks, fingerprints, CVs, education history, banking details, income tax reference number, remuneration and benefit information (including medical aid, pension/ provident fund information), details related to employee performance, disciplinary procedures, employee disability information, employee pension and provident fund information, employee contracts, employee performance records, payroll records, electronic access records, physical access records, CCTV records, health and safety records, training records, employment history, time and attendance records
Suppliers/Service Providers	Entity name, registration number, income tax number, tax information, contact details for representative persons, FICA documentation, BBB-EE certificates, invoices, contractual documentation
Directors and Shareholders	Name, surname, ID numbers, financial information as required for statutory reporting
New Job Applicants	Name, surname, address, contact details, email address, telephone number, details of qualifications, skills, experience and employment history, information about your current level of remuneration, including benefit entitlements, disability, and information about your entitlement to work in South Africa

Website Visitors	Contact information
Visitors	Physical access records, electronic access records scans and CCTV records
Clients	Trustees: Trustee personal information and Correspondence and emails Members: Personal information, Banking details, Tax information, Fund values, Medical information and disability information (where applicable), Claim and withdrawal details, Housing loan details, Beneficiaries: Beneficiary personal information, Correspondence and emails, Child's personal information processed, •Child's medical information and disability information (where applicable)

6.3. Recipients or Categories of Recipients with whom Personal Information is Shared

- 6.3.1. The Company may share personal information with third parties for the purposes outlined in Section 8.1. Recipients of the personal information of Company data subjects include other service providers ("Operators") that process personal information on behalf of the Company.
- 6.3.2. The Company may share personal information with third parties if one or more of the following applies:
- 6.3.2.1. We are required to do so in terms of a law or a contract with the data subject; or
 - 6.3.2.2. For the purposes of existing or future legal proceedings; or
 - 6.3.2.3. This is required to provide services and benefits; and manage personal information processed on behalf of data subjects; or
 - 6.3.2.4. We have obtained consent from the data subject, or a competent person where the data subject is a child, to do so; or
 - 6.3.2.5. The recipient processes personal information on our behalf; or
 - 6.3.2.6. To disclose personal information to government authorities if we are required to do so by law; or
 - 6.3.2.7. To assist in the detection of fraud and money-laundering.
- 6.3.3. The Company will implement reasonable technical and organisational security measures, and monitoring processes, to protect personal information processed by the Company and its Operators.
- 6.3.4. The Company will not share personal information with third parties overseas unless one or more of the following applies:
- 6.3.4.1. The data subject has provided his or her consent;
 - 6.3.4.2. The third party is located in a foreign country with adequate data protection legislation; or
 - 6.3.4.3. The transfer is necessary for the performance of a contract.
- 6.3.5. Children's information may not be transferred trans-border without the written consent of the parent or guardian.
- 6.3.6. The Company will take steps to ensure that operators that process personal information in jurisdictions outside South Africa, apply adequate security safeguards.

6.4. Transborder Flows of Personal Information

The Company may from time to time transfer personal information to another country for the purposes of rendering services to employees and clients. The Company will not share personal information with third parties overseas unless one or more of the following applies:

- The data subject has provided his or her consent;
- The third party is located in a foreign country with adequate data protection legislation; or
- The transfer is necessary for the performance of a contract.

The Company will take the necessary steps to ensure that services providers and third-party operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information in terms of POPIA. Children's information may not be transferred trans-border without the written consent of the parent or guardian.

6.5. The Company's measures to protect personal information

The Company has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. The Company will take steps to ensure that third party providers who process personal information on behalf of the Company apply adequate safeguards as required in terms POPIA.

7. INFORMATION TO FACILITATE A REQUEST FOR ACCESS TO COMPANY RECORDS

- 7.1. The request must be made to the Information Officer at the contact details specified above.
- 7.2. Any request for access to records in terms of the PAIA and POPIA must be completed on the prescribed form in terms of the PAIA and POPIA and the Regulations thereto.
- 7.3. The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate what form of access is required.
- 7.4. The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 7.5. If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Company.
- 7.6. The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request.
- 7.7. The Information Officer will then decide whether to grant the request or not and notify the requestor in the required form.
- 7.8. If the request is granted, then a further access fee must be paid for the search, reproduction and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

8. DECISION OF THE COMPANY

- 8.1. As prescribed in section 25 of PAIA, the Company shall decide whether to grant the requested access to information and inform the requester accordingly.
- 8.2. Requests may be refused based on the following grounds, as set out in PAIA:
 - 8.2.1. mandatory protection of the privacy of a third party who is a natural or juristic person
 - 8.2.2. mandatory protection of the commercial information of a third party;
 - 8.2.3. mandatory protection of certain confidential information of a third party;
 - 8.2.4. mandatory protection of records privileged from production in legal proceedings;
 - 8.2.5. protection of the commercial information of the Company; or
 - 8.2.6. mandatory protection of the research information of a third party and of the Company.
- 8.3. The requester shall be notified of the Company's decision, in the most reasonable manner possible.

9. WHAT RECORDS MAY BE REFUSED?

PAIA provides for a number of categories of information that may not be disclosed when a request for access to information is received. The head of the company must in such instances refuse access.

Mandatory protection of privacy of third party who is a natural person

PAIA requires that the head of the company must refuse access to the records of a third person if such disclosure would involve the unreasonable disclosure of personal information about a third party including a deceased person. There are however several exceptions to this provision.

A request for access to a record that pertains to a third party who is a natural person may not be refused if where the information is of the following nature:

- Where an individual has consented to its disclosure;
- The information is already publicly available;
- Where the information was given to the private body by the individual and the individual was advised that such information would or might be made available to the public;
- Information about an individual's physical or mental health, or well-being, who is under the care of the requester and who is under the age of 18 years or is incapable of understanding the nature of the request and if giving access would be in the individual's best interests;
- Where the information is about an individual who is deceased, and the requester is the individual's next of kin or made the written request with the consent of the deceased's next of kin;
- Where the information relates to the position or function of the individual who is or was an official of a private body.

Mandatory protection of commercial information of third party

A request for access to records that pertain to the following must also be refused;

- Trade secrets of a third party.
- Financial, commercial, scientific, or technical information, other than trade secrets, of a third party which would be likely to cause harm to the commercial or financial interests of the third party if it were disclosed.
- Information that was disclosed in confidence by the third party, the disclosure of which could reasonably be expected to put the third party at a disadvantage in contractual or other negotiations or to prejudice the third party in commercial competition.
- The information must however be granted if the third party has consented to the disclosure or where it pertains to the results of any product or environmental testing supplied by or carried out by the third party and the disclosure of which would reveal a serious public safety or environmental risk.

The head of the company must refuse a request for access to a record where such disclosure would be in breach of a duty of confidence owed to a third party in terms of an agreement.

Mandatory protection of safety of individuals and protection of property

The head of the company must refuse access to the records of the company where:

- Such disclosure can reasonably be expected to endanger the life or physical safety of an individual; or may refuse a request where:
- Such disclosure is likely to prejudice or impair the security of a building, structure or system including but not limited to, a computer or communication system or any other property.
- Such disclosure may prejudice or impair methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme or the safety of the public or the security of property.

Mandatory protection of records privileged from production in legal proceedings

A request for access to a record where the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege.

Commercial Information of a private body

The head of the company may refuse to grant access to the records of the private body where the disclosure pertains to the following information in relation to the private body itself and not third parties. Where the information pertains to:

- Trade secrets of the private body;
- Financial, commercial, scientific, or technical information, other than trade secrets, of the private body which would be likely to cause harm to the commercial or financial interests of the private body if it were disclosed.
- The disclosure information which could reasonably be expected to put the private body at a disadvantage in contractual or other negotiations or to prejudice the private body in commercial competition.
- A computer program owned by the private body.

The information must however be released where it pertains to the results of product or environmental testing supplied by or carried out by or on behalf of the private body, the disclosure of which would reveal a serious public safety or environmental risk.

Further protection is extended to research information of a third party and research information of a private body. Mandatory disclosure is required where such disclosure would be in the public interest.

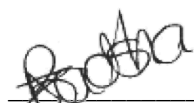
10. RIGHT TO CHALLENGE DECISION

10.1. The Company is not a public body referred to in paragraph (a) of the definition of "public body" in section 1 of the PAIA. Therefore, no internal appeal lies against the decision of the Company regarding access to information.

- 10.2. If a requester does not agree with the decision of the Company, the requester may apply, within 180 days of being advised of the Information Officer's decision, to the High Court having jurisdiction, for an appropriate order; or to the Information Regulator.
- 10.3. A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
- 10.3.1. the amount of fees required to be paid; and/or
 - 10.3.2. the extension of the period within which the information will be provided.
- 10.4. Notice of Appeal, Form B, in terms of Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)), can be found on the website of the Information Regulator www.justice.gov.za/infoereg.

11. AVAILABILITY OF THE MANUAL

The Company's manual is available for inspection free of charge at the registered address of the Company.



ZEENAT BADSHA
INFORMATION OFFICER
DATE: 30 June 2021

PREScribed FORMS

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 the 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. |
| 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 the 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. |

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:
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.	
(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			
2. If the record consists of visual images					
(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
View of images		Copy of the images*	Transcription of the images*		
3. If the record consists of recorded words or information which can be reproduced in sound:					
Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)			
4. If the record is held on computer or in an electronic or machine-readable form:					
A printed copy of record*		A printed copy of information derived from the record*	Copy in computer readable form* (stiffy or a compact disc)		
<ul style="list-style-type: none"> 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 the 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.

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

H. Notice of decision regarding the 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 Thisday of20.....

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B
FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION
11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 2(1)]**

Note:

1. Affidavits or other documentary evidence in support of the objection must be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

Reference Number.....

A		DETAILS OF DATA SUBJECT
Name and surname of data subject:		
Residential, postal or business address:		
Contact number(s):		
FAX number:		
E-mail address:		
B		DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (<i>if the responsible party is a natural person</i>):		
Residential, postal or business address:		
Contact number(s):		
FAX number:		
E-mail address:		
Name of public or private body (<i>if the responsible party is not a natural person</i>)		
Business address:		
Contact number(s):		
FAX number:		
E-mail address:		
C		REASONS FOR OBJECTION (Please provide detailed reasons for the objection)

Signed at this day of 20.....

Signature of data subject (applicant)

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017
[Regulation 3(2)]

Note:

1. Affidavits or other documentary evidence in support of the request must be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

Reference Number.....

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Surname:	
Full names:	
Identity number:	
Residential, postal or business address:	
Contact number(s):	
FAX number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural person):	
Residential, postal or business address:	

Contact number(s):	
FAX number:	
E-mail address:	
Name of public or private body (<i>if the responsible party is not a natural</i>	
Business address:	
Contact number(s):	
FAX number:	
E-mail address:	
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT / *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)

** Delete whichever is not applicable*

Signed at this day of.....20.....

.....
Signature of Data subject