

17 Midas Avenue
Olympus
Pretoria Gauteng
South Africa
0081



FINANCIX
THE INVESTORS' ADVANTAGE

**SECTION 51 MANUAL FOR
Sanus Financial Services (Pty) Ltd**

Registration Number 2020/659426/07
Incorporated in the Republic of South Africa
("Sanus")

**INFORMATION MANUAL
Published in terms of Section 51
of the Promotion of Access To Information Act, 2 of
2000**

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1 INTERPRETATION

1.1 In this Manual, unless inconsistent with or otherwise indicated by the context –

- 1.1.1 “**Information Officer**” means the person who is responsible and appointed by Sanus to deal) with all matters pertaining to information. Nic Louw (CO No. 5868) is the information officer;
- 1.1.2 “**Terms & Conditions**” means the written Terms & Conditions and any addenda thereto entered into between the Client and the Sanus;
- 1.1.3 “**Manual**” means this information manual document, which contains the PAIA Manual for Sanus, trading as “*Financix*” on the Website;
- 1.1.4 “**PAIA**” means Promotion of Access to Information Act, Act 2 of 2000;
- 1.1.5 “**POPIA**” means the Protection of Personal Information Act, No 4 of 2003;
- 1.1.6 “**Request**” means a request for access to information and/or records relating to Sanus, which Request complies with the requirements established pursuant to PAIA and this Manual;
- 1.1.7 “**Requester**” means any person or entity requesting access to a record that is under the control of Sanus; and
- 1.1.8 “**SAHRC**” means the South African Human Rights Commission;
- 1.1.9 “**Sanus**” means Sanus Financial Services Proprietary Limited with registration number 2020/659426/07 and registered address at 17 Midas Avenue, Olympus, Pretoria, Gauteng, 0081, South Africa. Sanus is an authorised financial services provider and is regulated by the FSCA with FSP license number 51523;
- 1.1.10 “**Website**” means the Sanus website, located at: <https://www.financix.com/>; and
- 1.1.11 words and phrases defined in the Terms & Conditions shall bear corresponding meanings when used herein.

2 INTRODUCTION

- 2.1 This Manual provides an outline of the types of information records held by Sanus.
- 2.2 The Manual explains how a person can submit requests for access to the information held by Sanus and its subsidiaries under PAIA.
- 2.3 PAIA was enacted on 03 February 2000, thereby giving effect to the constitutional right of access to any information held by the State and private entities, which information may be required by an individual/other for the exercise or protection of any rights.
- 2.4 Where a request is made in terms of PAIA, the body (Sanus) to which the request is made is obliged to release the information, except where PAIA expressly provides that the information shall or shall not be released.
- 2.5 PAIA sets out the requisite procedural issues attached to each request for information under PAIA.

3 PURPOSE OF THIS MANUAL

- 3.1 This Manual is intended to foster a culture of transparency and accountability, by granting access to information, which may be required to exercise or protect any and all of the rights of the people of South Africa.
- 3.2 In order to promote effective governance of private bodies, it is necessary to ensure that members of the public are educated to understand their rights under PAIA, which will empower them to exercise their rights in respect of public and private bodies.
- 3.3 However, section 9 of PAIA recognises that a right to access information cannot be unlimited and that such limitations on access are permissible to the extent that they are reasonable and justifiable in an open and democratic society, as envisaged by s36 of the Constitution. These limitations include, but are not limited to the following:
 - 3.3.1 limitations aimed at the reasonable protection of privacy;
 - 3.3.2 commercial confidentiality; and
 - 3.3.3 effective, efficient and good governance; and
 - 3.3.4 in a manner which balances that right with any other rights.
- 3.4 SEE ALSO: <https://www.sahrc.org.za/index.php/understanding-paia>

4 PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

4.1 CONTACT DETAILS.

NAME OF BODY: SANUS FINANCIAL SERVICES (PTY) LTD

TYPE OF BODY: PRIVATE

PHYSICAL ADDRESS: 17 Midas Avenue, Olympus, Pretoria, Gauteng,
0081, South Africa

POSTAL ADDRESS: PO Box 39027, Moreletapark, Pretoria, 0044,
Republic of South Africa

HEAD OF BODY: NIC LOUW

INFORMATION OFFICER: NIC LOUW

ELECTRONIC MAIL: nic.l@sanusfinancial.com

TELEPHONE NUMBER: 0832918810

WEBSITE: <https://www.financix.com/>

4.2 S10 GUIDE ON HOW TO USE THE ACT;

The Guide will be available from the South African Human Rights Commission.

PLEASE SEE ALSO:

<https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202020%20FINAL%20WEB.pdf>

DIRECT ANY QUERIES TO:

The South African Human Rights Commission:

PAIA Unit

Physical address: Braampark Forum III, Hoofd Street, Braamfontein, Johannesburg,
2041, Gauteng, South Africa

Postal address: Private Bag X2700, Houghton, 2041, Gauteng, South Africa

Telephone: +2711 877 3825
+2711 877 3600 (Switchboard)

Fax: +2711 403 0625

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za
section51.paia@sahrc.org.za

5 RECORDS AVAILABLE UNDER ANY OTHER LEGISLATION - S51(1)(d)

- 5.1 Records are kept in accordance with such other legislation (applicable law) that is applicable to Sanus from time to time.
- 5.2 Records are kept in accordance with legislation applicable to Sanus, which includes but is not limited to the legislation listed *below*.
- 5.3 The records kept in accordance with the legislation listed herein are **not freely available** to any person requesting same (“**Requester**”) but only to those specifically entitled to said records in terms of the various applicable laws listed below, respectively.
- 5.4 Should a Requester wish to access any of the records under these laws, a request must **be made in accordance with the procedure set out in paragraph 6 below**.
- 5.5 Each request will be evaluated in accordance with the provisions and requirements set out in the Act and the applicable legislation:
- 5.6 The records are kept under the following list of legislation, as applicable from time to time to Sanus, which list is not exhaustive nor intended to be;
- 5.6.1 Basic Conditions of Employment Act, Act No. 75 of 1997;
 - 5.6.2 Companies Act, Act No. 61 of 1973;
 - 5.6.3 Companies Act, Act No. 71 of 2008;
 - 5.6.4 Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993;
 - 5.6.5 Competition Act, Act 89 of 1998;
 - 5.6.6 Copyright Act, Act No. 98 of 1978;
 - 5.6.7 Currency and Exchanges Act, Act No. 9 of 1933;
 - 5.6.8 Employment Equity Act, Act No. 55 of 1998;
 - 5.6.9 Electronic Communications Act, Act No. 36 of 2005;
 - 5.6.10 Financial Advisory and Intermediary Services Act, Act No. 37 of 2002 (FAIS);
 - 5.6.11 Financial Intelligence Centre Act, Act No. 38 of 2001 (FICA);
 - 5.6.12 Income Tax Act, Act No. 58 of 1962;
 - 5.6.13 Labour Relations Act, Act No. 66 of 1995;
 - 5.6.14 Long-Term Insurance Act, Act No. 52 of 1998;
 - 5.6.15 Occupational Health and Safety Act, Act No. 85 of 1993
 - 5.6.16 Promotion of Access to Information Act, Act No. 2 of 2000 (PAIA);
 - 5.6.17 Regulation of Interception of Communications Act, Act No. 70 of 2002 (RICA);
 - 5.6.18 Skills Development Levies, Act No. 9 of 1999;
 - 5.6.19 Skills Development Act, Act No. 97 of 1998;
 - 5.6.20 South African Reserve Bank Act, Act No. 90 of 1989;
 - 5.6.21 Unemployment Insurance Act, Act No. 30 of 1966;
 - 5.6.22 Unemployment Insurance Contributions Act, Act No. 4 of 2002; and
 - 5.6.23 Value Added Tax Act, Act No. 89 of 1991.

6 ACCESS TO THE RECORDS HELD BY THE PRIVATE BODY IN QUESTION (Sanus)

6.1 RECORDS AUTOMATICALLY AVAILABLE

6.2 Records that are automatically available are those records lodged by Sanus and/or its subsidiaries in accordance with various pieces of legislation and/or as required by statutory/regulatory bodies, including but not limited to the following:

6.2.1 Registrar of Companies; AND

6.2.2 Financial Sector Conduct Authority (FSCA),

which information is available from the applicable body, on request.

6.3 Further automatically available records can be found on <https://www.financix.com/>

6.4 RECORDS THAT MAY BE REQUESTED

Records relating to Incorporation

6.4.1 Memorandum of Incorporation;

6.4.2 Company Register

6.4.3 Regulatory and Statutory Returns;

6.4.4 List of directors;

6.4.5 Board Meetings Minutes;

6.4.6 Delegation of authority and mandates; and

6.4.7 Share Certificates.

Customer Records;

6.4.8 Customer agreements;

6.4.9 Complaints received;

6.4.10 Correspondence from attorneys;

6.4.11 Internal documents;

6.4.12 Legal process documents, if any;

Personnel / Human Resources

6.4.13 record of staff members;

6.4.14 policies and procedures;

6.4.15 employee information;

6.4.16 letters of employment;

6.4.17 grievance policies and procedures;

6.4.18 internal evaluation records;

6.4.19 standard letters and notices;

6.4.20 payroll reports;

6.4.21 disputes, including CCMA;

6.4.22 disciplinary manual;

6.4.23 training records and materials.

Finance Department

6.4.24 Audited AFS;

6.4.25 Management accounts;

- 6.4.26 Banking details and bank accounts;
- 6.4.27 Debtors/Creditors statements and invoices;
- 6.4.28 General ledgers and subsidiary ledgers;
- 6.4.29 General ledger reconciliation;
- 6.4.30 Policies and Procedures.
- 6.4.31 Income tax returns;
- 6.4.32 VAT / PAYE returns;
- 6.4.33 Other returns;
- Legal
 - 6.4.34 Contracts;
 - 6.4.35 Commercial disputes;
 - 6.4.36 Litigation;
 - 6.4.37 Correspondence with attorneys;
- Regulatory
 - 6.4.38 FSCA submissions and correspondence;
 - 6.4.39 FSCA complaints;
 - 6.4.40 FAIS Ombud complaints;
 - 6.4.41 FSCA correspondence;
 - 6.4.42 FSCA Compliance reports;
 - 6.4.43 FSCA other reporting;
- Computing / IT / Data
 - 6.4.44 System documentation and manuals;
 - 6.4.45 DRP;
 - 6.4.46 Internet policies;
 - 6.4.47 Licenses;
 - 6.4.48 Computer policies.
- Administration
 - 6.4.49 Correspondence with internal and external parties.

7 THE REQUEST PROCEDURES

- 7.1 Form of request:
 - 7.1.1 The requester must use the prescribed form to make the request for access to a record.
 - 7.1.2 The request must be made to the head or information officer of Sanus.
 - 7.1.3 Any request for information must be made to the address or electronic mail address contained *above*.

- 7.1.4 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 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.
- 7.1.5 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.
- 7.1.6 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 head of the private body.
- 7.2 Request Form: See below, *"REQUEST FORM FOR ACCESS TO RECORD OF PRIVATE BODY"*

8 FEES:

- 8.1 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:
- 8.1.1 The 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.
- 8.1.2 The fee that the requester must pay to a private body is ZAR50 / EUR5.00. The requester may lodge an application to the court against the tender or payment of the request fee.
- 8.1.3 After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- 8.1.4 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.

FEES ARE SET OUT IN DETAIL IN BELOW TABLE (subject to change):

The fees for reproduction referred to in regulation 11(1) are as follows:

For every photocopy of an A4-size page or part thereof	R5
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R5
For a copy in a computer-readable form on MEMORY STICK / USB STICK	R200
For a copy in a computer-readable form on compact disc	R100
For a transcription of visual images, for an A4-size page or part thereof	R40
For a copy of visual images	R60
For a transcription of an audio record, for an A4-size page or part thereof	R100
For a copy of an audio record	R30
The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R50

9 DENIAL OF A REQUEST FOR INFORMATION

- 9.1 In terms of PAIA, there are certain grounds upon which Sanus may refuse to grant a requester access to its records, as certain categories of information may be subject to protection in the interests of privacy. Such records which may be protected would include but would not be limited to records containing:
- 9.1.1 privileged information;
 - 9.1.2 private information of a third party (natural person);
 - 9.1.3 commercial information belonging to a 3rd party;
 - 9.1.4 confidential information of a 3rd party, the disclosure of which could reasonably be expected to put that 3rd party at a disadvantage in contractual or other negotiations, or to prejudice that third party in commercial competition;
 - 9.1.5 information that could endanger the safety of an individual or could impair a party's protection of their property, if that information was disclosed;
 - 9.1.6 commercial information relating to Sanus, which includes but is not limited to:
 - 9.1.6.1 information regarding trade secrets;
 - 9.1.6.2 financial, commercial or technical information, the disclosure of which would cause harm to the commercial or financial interests of the body; and
 - 9.1.7 research information of a 3rd party or Sanus.

10 OTHER INFORMATION AS MAY BE PRESCRIBED

- 10.1 The Minister of Justice and Constitutional Development has not made any regulations in this regard.

11 AVAILABILITY OF THE MANUAL

- 11.1 The manual is available at the Head Office of Sanus.
- 11.2 This Manual is also available at the SAHRC (see address *above*).
- 11.3 This Manual may be found online at: <https://www.financix.com/>
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