

Goudvis & Associates CC

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|--------------------|--|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended); |
| 1.6 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.7 | “Regulator” | Information Regulator; and |
| 1.8 | “Republic” | Republic of South Africa |

2. PURPOSE OF PAIA MANUAL

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; and
- 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. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF GOUDVIS & ASSOCIATES CC

3.1. Chief Information Officer:

Name: Wesley Birch
Tel: 012 809 2993
Email: wesley@goudvis.co.za

3.2. Deputy Information Officer:

Name: Mary-Ann Heck
Tel: 012 809 2993
Email: mary@goudvis.co.za

3.3 Access to information general contacts:

Email: *admin@goudvis.co.za*

3.4 **Goudvis & Associates Office**

Postal Address: 27 Mahogany Road
Olympus Country Estate
0081

Physical Address: 27 Mahogany Road
Olympus Country Estate
0081

Telephone: 012 809 2993

Email: wesley@goudvis.co.za

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

4.1. 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.

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

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3. the manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated in section 11³; and

4.3.3.2. access to a record of a private body contemplated in section 50⁴;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
- 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 4.6.1 English
- 4.6.2 Afrikaans

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. CATEGORIES OF RECORDS OF GOUDVIS & ASSOCIATES WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Personal	ID, Names, Banking, details Medical history, Policy documents, Membership certificates, Previous medical aid information, Agreements and disclosures, Advice records, Addresses, Tax numbers, Contact details, Estate details and Wills, Marriage certificates and Death certificates	N/A	X
Business	ID, Names, Banking, details Medical history, Policy documents, Membership certificates, Previous medical aid information, Agreements and disclosures, Advice records, Addresses, Tax numbers, Contact details, Estate details and Wills, Marriage certificates, Death certificates, company registration documents, Ck documents, All personal details of the directors and FICA, Accounting information and valuations	N/A	X
Legislative	Disclosure letter, copy of license, marketing material, annual financial statements, tax returns, accounting records and competence records	N/A	X

6. DESCRIPTION OF THE RECORDS OF GOUDVIS & ASSOCIATES WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
CIPC records	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Complaints Policy	FAIS legislation
Conflict of Interest Policy	FAIS legislation
TCF policy	FAIS legislation
POPI Privacy statement	POPIA
RMCP	FICA

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE GOUDVIS & ASSOCIATES

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Finance	Bank statements Budgets Management accounts Limited Asset register Debtor and creditor's list Invoices Financial statements Tax records
Information Technology	Computer Software Licenses
Risk and compliance	Policies and procedures Risk registers FSCA requirements FICA requirements

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

All personal information that is processed within Goudvis & Associates is for the purpose of issuing new policies on behalf of the client, assisting with queries, claims and any other assistance that the client may request. Some information such as advice records, FICA documents etc are stored for compliance.

8.2 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	
Customers / Clients (individual and legal entities)	Name	
	Last name	
	Identity number	
	Passport number	
	Birth certificate number	
	Date of birth (not age)	
	Age (not date of birth)	
	Gender	
	Mother's maiden name	
	Nationality	
	Photographs	
	Race, ethnic origin or colour	
	Marital status	
	Education records, student grades and evaluations, etc.	
	Home / residential address	
	First name of children under 18 years of age	
Last name of children under 18 years of age		
Birth information of children under 18 years of age		

Categories of Data Subjects	Personal Information that may be processed	
	Identity number of children under 18 years of age	
	Home / residential address of children under 18 years of age	
	E-mail address	
	Home facsimile number	
	Home postal address	
	Home telephone number	
	Personal cellular, mobile or wireless number	
	Business e-mail address	
	Business facsimile number	
	Business postal address	
	Business telephone number	
	Business cellular, mobile or wireless number	
	Medical record, including information about physical or psychological state of health, well-being, disability, disease state, medical history or medical treatment or diagnosis by a health care professional	
	Prescription information such as prescription number and prescribed drug	
	Health insurance identification or member number	
	Drugs, therapies, or medical products or equipment used	
	Family health or morbidity history	
	Pregnancy status	
	Financial institution account number, credit or debit card number [NB: Note Section 105 - 107 Offences and Penalties!]	
	Details of financial transactions or house account information (e.g., account balance information, payment history, overdraft history, and credit or debit card purchase information)	
	Professional licenses and professional memberships	
	Professional license numbers	

Categories of Data Subjects	Personal Information that may be processed	
	Income/Salary/Service Fees/Other Compensation	
	User Identification and/or Employee number as assigned by an employer	
	Employment history, performance evaluations and disciplinary actions	
	Employer or taxpayer identification number	
	Digitized or other electronic signature	
	Background checks	
	Calling Line Identification (CLI), Dialed Number Identifier (DNI), International Mobile Subscription Identity (IMSI), International Mobile Equipment Identity (IMEI), Mobile Station International Subscriber Directory Number (MSISDN)	
	Copyrighted and/or Trademarked	
	Trade Secrets	
	Data that is / has been de-identified or masked to protect it's full details	
	Data being shared or received across South African borders (Specify Countries)	
	Personal Information of European Citizens governed by the EU General Data Protection Regulation	
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details, email addresses, Cell phone and landline numbers, contractual agreements and Service level agreements	

8.3 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
Full names and surname	FICA screening on Dilisense.com
Qualifications, for qualification verifications	South African Qualifications Authority
<p>Client (Individual)</p> <p>Name, surname, identity number or passport number, date of birth, age, marital status, citizenship, telephone numbers, email address, physical and postal addresses, income tax number, financial information, banking information including account numbers, FICA documentation, employment status.</p> <p>Client (Legal entity)</p> <p>Entity name, registration number, tax-related information, contact details for representatives, banking information including account numbers, financial information, FICA documentation.</p>	<p>Product providers</p> <p>Masthead (Pty) Ltd</p> <p>Financial Intelligence Centre</p> <p>Financial Sector Conduct Authority</p>

8.4 Planned transborder flows of personal information

All client information is stored on Xplan. The information is sent to a backup server in Australia for storage.

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

All office computer have an antivirus that scans the computers regularly to ensure that the data stored is not accessed. Client data is stored on a secure program (Xplan) to ensure that the minimum amount of client data is stored on a single computer. Paper based information is scanned up regularly and stored on Xplan after which the documents are shredded on a regular basis.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 At the office of Goudvis & Associates for public inspection during normal business hours;

9.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.3 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

The head of Goudvis & Associates will on a regular basis update this manual.

Issued by

Wesley Birch
Key Individual