



Registration Number 2013/161814/07

PAIA MANUAL

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

1. LIST OF ACRONYMS AND ABBREVIATIONS

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 THE CAPICRAFT INVESTMENT PARTNERS (PTY) LTD

3.1. Chief Information Officer

Name: Drikus Combrinck
Tel: 083 235 1916
Email: drikus@capicraft.co.za

3.2. Deputy Information Officer

N/A

3.3 Access to information general contacts

Email: drikus@capicraft.co.za

3.4 National or Head Office

Physical Address: 81 Botterklapper street, The Willows, Pretoria 0081

Telephone: 083 235 1916

Email: drikus@capicraft.co.za

Website: www.capicraft.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;

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.*

- 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;
- 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;

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.

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/infoeq/>).
- 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 only

5. CATEGORIES OF RECORDS OF CAPICRAFT INVESTMENT PARTNERS (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Categories of records held which are available without a person having to request access by completing Form C:

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.”

Category of records	Types of the Record	Available on Website	Available upon request
Internal Records	Complaints procedure PAIA Manual	X	X
Internal Records	Other Compliance Policies Protection of Personal Information (POPIA) Complaints Resolution Policy Conflict of Interest Management Policy Complaints Management policy and framework General Disclosure (FAIS)		X X X X X X
Publications	Newsletters Presentations Social Media Fund Fact Sheets	X X	X X X X

6. DESCRIPTION OF THE RECORDS OF CAPICRAFT INVESTMENT PARTNERS (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER SOUTH AFRICAN LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual Information Security	Promotion of Access to Information Act 2 of 2000 Protection of Personal Information Act 4 of 2013
Collective investment schemes	Collective Investment Schemes Control Act 45 of 2002
Information security and privacy policy	Electronic Communications and Transactions Act 25 of 2002
Copyright	Copyright Act 98 of 1978

Competition	Competition Act 89 of 1998
Employees	Basic Conditions of Employment Act 75 of 1997 Broad-Based Black Economic Empowerment Act 53 of 2003 Compensation for Occupational Injuries and Diseases Act 130 of 1993 Employment Equity Act 55 of 1998 Labour Relations Act 66 of 1995 Skills Development Act 97 of 1998 Unemployment Insurance Act 63 of 2001
Tax	Income Tax Act 58 of 1962 Value Added Tax Act 89 of 1991 Employment Tax Incentive Act 26 of 2013 Organisation for Economic Co-operation and Development (OECD) Common Reporting Standard for automatic exchange of financial account information (CRS) Securities Transfer Tax Act 25 of 2007 Securities Transfer Tax Administration Act 26 of 2007 Skills Development Levies Act 9 of 1999 Tax Administration Act 28 of 2011 Tax on Retirement Funds Act 38 of 1996 Unemployment Insurance Contributions Act 4 of 2002 United States Foreign Account Tax Compliance Act (FATCA)
Currency controls	Currency and Exchanges Act 9 of 1933
Financial Crime	Financial Intelligence Centre Act 38 of 2001 Prevention and Combating of Corrupt Activities Act 12 of 2004 Prevention of Organised Crime Act 121 of 1998 Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
FSP Info & Complaints	Financial Advisory and Intermediary Services Act 37 of 2002

Financial Institutions	Financial Institutions (Protection of Funds) Act 28 of 2001 Financial Sector Regulation Act 9 of 2017
Financial Markets	Financial Markets Act 19 of 2012
Retirement funds	Friendly Societies Act 25 of 1956 Government Employees Pension Law (1996) Pension Funds Act 24 of 1956

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CAPICRAFT INVESTMENT PARTNERS (PTY) LTD

The records reflected in the table below may be formally requested in terms of the PAIA, but this does not imply that a request for access to such records would be honoured.

Subjects on which the body holds records	Categories of records
Internal Company Records	- Incorporation documents - Registers of directors - Policies and procedures - Records relating to appointment of directors, auditors - Internal correspondence - Product records - Operational records
Human Resources	- HR policies and procedures - Employees records - Employee personal details - Employment conditions and policies - Employment contracts - Internal correspondence - Internal policies, and procedures - Leave - Operating manuals - Remuneration and benefits - Training schedules and material

Subjects on which the body holds records	Categories of records
Finance records	Financial records Accounting books Annual financial statements Audit reports Banking records Budgets Invoices Rental agreement Income tax Pay As You Earn (PAYE) Unemployment Insurance Fund (UIF) Value Added Tax (VAT)
Legal records	General agreements and contracts Licenses, permits, and authorisations Regulator correspondence
Client records	Client agreements and forms Complaints Queries Client documents and information Investment proposals Transactions and supporting information
Product supplier records	Supplier and third party agreements/contracts Transactions and supporting information
Media records	Information documents Marketing material Newsletters Presentations Press releases Social media

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Capicraft Investment Partners (Pty) Ltd processes the personal information of data subjects to fulfil statutory obligations in terms of PAIA, POPIA and other applicable legislation, to fulfil contractual obligations, to administer employees, and to keep records.

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
Clients	Full names; contact details (contact numbers; fax Numbers; email addresses); physical addresses; postal addresses; Unique identifier; identity/registration numbers; confidential correspondence; tax related information; company information; information required in terms of the FAIS Act and the FICA (and other relevant legislation)
Service Providers and product suppliers	Full names of entities, contact persons; registration number, full names of directors and shareholders, physical addresses; postal addresses; contact details (contact numbers, fax numbers, email addresses); financial information; identity/passport/registration numbers; founding documents; tax related information; authorised signatories' information; associated entities; business strategies.
Employees & Key Individuals	Gender; marital status; race; age; language; education information (qualifications); financial information; employment history; identity/passport/registration numbers; physical addresses; postal addresses; contact details (contact numbers; fax numbers; email addresses);

Categories of Data Subjects	Personal Information that may be processed
	credit record; FAIS related information; criminal record; well-being and family members; medical; nationality; ethnic and/or social origin; physical and/or mental health; disability; biometric information; professional affiliation; references; CVs/resumes; information required in terms of the FAIS Act.

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

Capicraft may supply the personal information of data subjects to service suppliers, who provide the following services: Administration, Accounting, Auditing, Compliance, IT, Personal information storage, Verification checks (Credit/criminal).

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number/ Registration number, Full names, Birth dates	Companies and Intellectual Property Commission, Department of Home Affairs, Financial Intelligence Centre, South African Police Services, United Nations, and verification providers
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus and verification providers
Tax Information	SARS

8.4 Planned transborder flows of personal information

No planned transborder flows of personal information.

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

Capicraft Investment Partners (Pty) Ltd implemented suitable technical and operational measures to prevent loss of or damage to, or unauthorised destruction of and unlawful access to, personal information.

All information is stored on the One Drive cloud and is protected by access control, anti-virus software, anti-malware software. Suitable measures are in place to ensure that the Company identifies any risks (both internal and external) to the personal information that is in its possession information that is in its possession and/or under its control.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On www.capicraft.co.za if any;

9.1.2 head office of Capicraft Investment Partners (Pty) Ltd for public inspection during normal business hours;

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

9.1.4 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 a CAPICRAFT INVESTMENT PARTNERS (PTY) LTD will on a regular basis update this manual.

Issued by



Drikus Combrinck

CEO

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