

effective access to information in our possession which will assist them in the exercise and protection of their rights.

You will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

B. CATEGORIES OF RECORDS AND SUBJECTS IN RESPECT OF WHICH RECORDS ARE HELD:

Company Act Records

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/public officer and other officers
- Share Register and other statutory registers

Financial Records

- Annual financial statements
- Tax returns
- Accounting records
- Banking records
- Asset register
- Rental agreements
- Invoices

Income Tax Records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - VAT
 - Regional Services Levies
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

Employees

- Employment contracts
- Employment equity plan
- Medical aid records
- Pension fund records
- Remuneration/salary records
- SETA records
- Performance appraisals
- Disciplinary records
- Disciplinary code
- Leave records
- Training records
- Training manuals
- Policy and Procedures Manual
- Safety and Security Document

Customers and prospective customers

- Marketing records and databases including customer contact details

- Product applications
- Loan quotations and agreements
- Insurance quotations and policies
- Account and transactional records
- Voice-recorded telephone calls
- Credit bureau reports (if applicable)
- Records required to be kept in terms of the National Credit Act including credit and affordability assessments
- Records required to be kept in terms of other legislation

C. APPLICABLE LEGISLATION

All records kept in terms of legislation as below

- Basic Conditions of Employment Act, No. 75 of 1997
- Basic Conditions of Employment Amendment Act, No. 11 of 2002
- Companies Act No. 61 of 1973
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No.130 of 1993
- Competitions Act, No 98 of 1998
- Consumer Affairs (Unfair Business Practices) Act, No 71 of 1988
- Consumer Affairs (Unfair Business Practices) Amendment Act, No 21 of 2001
- Consumer Protection Act, No 68 of 2008
- Debt Collectors Act, No 114 of 1998
- Electronic Communications and Transactions Act, No 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Financial Intelligence Centre Act, No. 38 of 2002
- Income Tax Act, No 58 of 1962
- Labour Relations Act No. 66 of 1995
- Long Term Insurance Act No. 52 of 1998
- National Credit Act, No 34 of 2005
- Occupational Health & Safety Act No. 85 of 1993
- Pension Funds Act, No 24 of 1956
- Policy Holder Protection Rules
- Prevention and Combatting of Corrupt Activities Act, No 12 of 2004
- Prevention of Organised Crime Act, No 121 of 1998
- Promotion of Access to Information Act, No 2 Of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act, No 4 of 2000
- Protected Disclosures Act, No 26 of 2000
- Regulation of Interception of Communications and Provision of Communications-related Information Act, No 70 of 2002
- Short Term Insurance Act No. 53 of 1998
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Trade Marks Act, No 194 of 1993
- Unemployment Insurance Act, No. 63 of 2001
- Unemployment Insurance Amendment Act, No. 32 of 2003
- Unemployment Insurance Contributions Act, No. 4 of 2002
- Usury Act Exemption Notices 713 of 1999 and 1406 and 1407 of 2005
- Usury Act No 73 of 1968
- Value Added Tax Act, No. 89 of 1991

D. NOTICE IN TERMS OF SECTION 52 (2) OF THE ACT: VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

No Notice in terms of Section 52 (2) of the Act has been published.

E. PROCEDURES TO BE FOLLOWED TO REQUEST ACCESS TO RECORDS HELD PER SECTION 51(1)(e):

- Requestors are to complete the prescribed **FORM C** - see **Appendix 1** attached.
- The completed FORM C may be posted to the Information and Compliance Officer, Direct Axis, at the following address:
The Information and Compliance Officer
Direct Axis (SA) (Pty) Ltd
P O Box 44319
Claremont
7735
- The Information and Compliance Officer will process the request and inform you of the fees (if any) that you have to pay and of the further steps that will follow in the processing of the request. Alternatively, you may access the fees as listed in **Appendix 2** attached.
- Note: Access to certain records may be denied on the grounds set out in the Promotion of Access to Information Act, No 2 of 2000.

F. AVAILABILITY OF THIS MANUAL

This manual is available for inspection, free of any charge, at the offices of the Direct Axis, 108 de Waal Rd, Diep River, Cape Town. Copies are also available from our website www.directaxis.co.za and the SA Human rights Commission by writing to their address indicated in section G below.

G. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE (SEC. 10 OF THE ACT):

The Human Rights Commission has compiled a guide containing such information as may reasonably be required by any person who wishes to exercise any right contemplated in the Act. An electronic version of the Guide will be kept on the website of the South African Human Rights Commission, www.sahrc.org.za. The South African Human Rights Commission can be contacted at the following address:

Private Bag 2700
HOUGHTON
2041

Tel. No. +27 11 877 3600
Fax. No. +27 11 403 0625

PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER

FORM C

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, No 2 of 2000)

(Regulation 10)

A. Particulars of private body

The Head:

B. Particulars of Person requesting access to the record

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| <p>(a) <i>The particulars of the person who requests access to the records must be given below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which information must be given.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
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Full Name and Surname:

Identity Number:

Postal Address:

Telephone Number: _____

Fax Number: _____

E-mail address: _____

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made:

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person</i></p>
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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 the Record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the 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. You can also access the list of applicable fees from Appendix 2.*
- (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 of payment of fee:

F. Form of Access to the 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: _____ _____ _____
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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:

<input type="checkbox"/>	Copy of record *	<input type="checkbox"/>	Inspection of record
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2. If the record consists of visual images:

(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images *	<input type="checkbox"/>	Transcription of the images*
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3. If the record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack * (written or printed document)
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4. If the record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	Printed copy of record *	<input type="checkbox"/>	Printed copy of information derived from the record *	<input type="checkbox"/>	Copy in computer readable form * (stiffy or compact disc)
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* 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.	YES	NO
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G. Particulars of 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

1. Indicate which right is to be exercised or protected:

2. Explain why the requested record is required for the exercising or protection of the
aforementioned right:

H. Notice of decision regarding request for access:

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof 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 _____ this _____ day of _____ 20____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

FEES IN RESPECT OF PRIVATE BODIES

- 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. A personal requester does not pay such a fee. [s22(1)]
 - The fee that the requester must pay to a private body is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee. [s22(3)(b)]
 - The head of the private body will then make a decision on the request and notify the requester in the required form
 - 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 [s22(6)]
1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
 2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - (a) For every photocopy of an A4-size page or part thereof R1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
 - (c) For a copy in a computer-readable form on -
 - (i) stifty disc R7,50
 - (ii) compact disc R70,00
 - (d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00
 - (ii) For a copy of visual images R60,00
 - (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00
 - (ii) For a copy of an audio record R30,00
 3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
 4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - (1)(a) For every photocopy of an A4-size page or part thereof R1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0,75
 - (c) For a copy in a computer-readable form on -
 - (i) stifty disc R7,50
 - (ii) compact disc R70,00
 - (d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00
 - (ii) For a copy of visual images R60,00
 - (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00
 - (ii) For a copy of an audio record R30,00
 - (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
 - (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
 - (3) The actual postage is payable when a copy of a record must be posted to a requester.
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