



## ACCESS TO INFORMATION MANUAL

Prepared in terms of the

Promotion of Access to Information Act 2/2000  
("PAIA")

and the

Protection of Personal Information Act 4/2013  
("POPIA")

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## 1. DEFINITIONS & ABBREVIATION

Term	Definition
“Data subject”	“means the person to whom personal information relates” <sup>1</sup>
“head”	<p>or in relation to, a private body means-</p> <p>a) in the case of a natural person, including a person referred to in paragraph (c) of the definition of 'political party', that natural person or any person duly authorised by that natural person; (b) in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;</p> <p>(c) in the case of a juristic person- (i) the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or (ii) the person who is acting as such or any person duly authorised by such acting person; or (d) in the case of a political party, the leader of the political party or any person duly authorised by that leader;<sup>2</sup></p>
“information officer”	<p>“of, or in relation to, a—</p> <p>(a) public body means an information officer or deputy information officer as contemplated in terms of section 1 or 17; or</p> <p>(b) private body means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act”<sup>3</sup></p>
“Processing”	<p><i>“means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—</i></p> <p><i>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</i></p> <p><i>(b) dissemination by means of transmission, distribution or making available in any other form; or</i></p> <p><i>(c) merging, linking, as well as restriction, degradation, erasure or destruction of information”<sup>4</sup></i></p>
“Personal Information”	means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

<sup>1</sup> Section 1 of POPIA

<sup>2</sup> Section 1 of PAIA

<sup>3</sup> Section 1 of POPIA

<sup>4</sup> Section 1 of POPIA

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	<p>(a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;</p> <p>(b) information relating to the education or the medical, financial, criminal or employment history of the person;</p> <p>(c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignments to the person;</p> <p>(d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;</p> <p>(g) the views or opinions of another individual about the person; and (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person<sup>5</sup></p>
<p>“Special personal information”</p>	<p><i>“personal religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject as well as criminal behaviour (such as alleged commission of an offence or pending proceedings in respect of the alleged offence)”<sup>6</sup></i></p>

Abbreviation	Meaning
CEO	Chief Executive Officer
DIO	Deputy Information Officer
IO	Information Officer
PAIA	Promotion of Access to Information Act No 2 of 2000 (as amended)
POPIA	Protection of Personal Information Act No 4 of 2013
Regulator	Information Regulator

<sup>5</sup> Section 1 of POPIA

<sup>6</sup> Section 1 of POPIA

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## **2. INTRODUCTION AND OVERVIEW OF THE ORGANIZATION**

bird private client wealthcare (Pty) Ltd offers a bespoke portfolio for high-net-worth individuals, as part of a family office, clients are offered a segregated portfolio management service both internationally and locally. This is mainly achieved by utilizing direct equities and exchange traded funds over geographic and sector diversification for clients. Portfolios are constructed taking the clients risk profile into account. Assets are structured to allow for continuity within family structures.

## **3. OBJECTIVE OF THE PAIA AND POPI ACT**

- 3.1 The Promotion of Access to Information Act 2 of 2000 recognises and aims to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.
- 3.2 PAIA grants a requester access to records of the company if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.3 Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in Parts 2 and 3 of PAIA.
- 3.4 The Protection of Personal Information Act 4 of 2013 aims to promote the protection of privacy by providing guiding principles that are intended to be applied to the processing of personal information.
- 3.5 A data subject may request access to information, according to the prescribed procedures and rates described in POPIA. Access rights are described in terms of Sections 23 to 25 POPIA.

## **4. PURPOSE OF THE PAIA MANUAL**

This PAIA Manual is compiled in accordance with Section 51 of PAIA to provide the public with a summary of the records of the information held by the organisation and includes:

- 4.1 The contact details of the Information Officer and/or Deputy Information Officer to whom requests for access to information may be submitted;
- 4.2 A description of the Guide referred to in Section 10 of PAIA and how to gain access to it;
- 4.3 The categories of records held by the organisation that is available without having to request access in terms of PAIA;
- 4.4 A description of the records that the organisation is required to keep in terms of other legislation;
- 4.5 A summary of the categories of records the organisation holds;
- 4.6 Sufficient detail on how to request access to records held by the organisation;



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- 4.7 Information surrounding the processing of personal information as defined by POPIA such as the purpose of processing personal information, category of data subjects, category of personal information held by the organisation, the category of recipients of personal information, planned cross-border transfer of personal information and information security measures implemented to ensure the confidentiality, integrity and availability of information;
- 4.8 Fees payable for access to records;
- 4.9 The grounds on which the organisation may refuse the request for access to information and a summary of the recourse available to a requester if the access has been denied.
- 4.10 Contact details of the Information Regulator.

## 5. CONTACT DETAILS

5.1 The contact details of the Information Officer are as follows:

Information Officer	Andre Jacques Botha
Telephone number	083-456 4446
Street address	No 3 Ladies Mile Ext, Unit 6 Cumberland Place, Graylands,7806
Postal address	
E-mail	Andre@bird.co.za
Fax number	

5.2 General contact details for access to information:

E-mail	Andre@bird.co.za
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5.4 Head office:

Telephone number	083-456 4446
Street address	No 3 Ladies Mile Ext, Unit 6 Cumberland Place, Graylands,7806
Postal address	
E-mail	Andre@bird.co.za
Fax number	
Website	www.bird.co.za

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## **6. GUIDE REFERRED TO IN SECTION 10 OF PAIA**

### **6.1 Description of the Guide on how to use the PAIA Act**

6.1.1 According to Section 10(1) of PAIA as amended: *“The Information Regulator must update and make available the existing guide that has been compiled by the South African Human Rights Commission containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this Act (PAIA Act) and the Protection of Personal Information Act, 2013.”*

6.1.2 The Guide must include the following information:

- The objectives of the PAIA and POPI Act<sup>7</sup>;
- The manner and the prescribed form in which to request access to a record of a public or private body<sup>8</sup>;
- The assistance available from the information officer of a public body and the Information Regulator in terms of the PAIA and POPI Act;<sup>9</sup>
- 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 the POPIA, including the manner in which to lodge:
  - an internal appeal;
  - a complaint to the Information Regulator; and/or
  - an application with a court against a decision by the information officer of a public body, a decision on internal appeal, a decision by the Information Regulator or a decision of the head of a private body<sup>10</sup>;
- The provisions of the PAIA Act requiring a public body and private body to compile a PAIA Manual and how to access such a manual;<sup>11</sup>
- The provisions surrounding voluntary disclosure of categories of records by a public body and private body;<sup>12</sup>
- Notices issued in terms of PAIA regarding the fees payable for requests for access;<sup>13</sup>
- The regulations made in terms of section 92 of PAIA.<sup>14</sup>

### **6.2 How to gain access to the Guide**

6.2.1 The Information Regulator is required to update and publish the guide at intervals of not more than two years.

6.2.2 As of 30 June 2021 the Information Regulator will be taking over the regulatory mandate

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<sup>7</sup> Section 10(2) a

<sup>8</sup> Section 10(2) (b) (i) – (ii) of PAIA

<sup>9</sup> Section 10(c) & (d) of PAIA

<sup>10</sup> Section 10(e) of PAIA

<sup>11</sup> Section 10(f) of PAIA

<sup>12</sup> Section 10(g) of PAIA

<sup>13</sup> Section 10(h) of PAIA

<sup>14</sup> Section 10(i) of PAIA



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functions relating to the Promotion of Access to Information Act (PAIA) 2000. The Contact details of the Information Regulator are:

Physical address : JD House, 27 Stiemens Street, Braamfontein, Johannesburg  
 Postal Address : P.O Box 31533, Braamfontein, Johannesburg, 2017  
 Email : [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)  
 Website : <https://www.justice.gov.za/inforeg/about.html>

6.2.3 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;

6.2.4 The Guide can also be obtained:

- upon request to the Information Officer;
- from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

6.2.5 A copy of the Guide is also available at our Head Office/ Registered office in English for public inspection during normal office hours:

6.2.6 The Information Officer shall upon written request, in the prescribed format, make available the number of copies of the guide in the official languages, as requested. Form 1. Please note that if the language requested is not available the Information Officer shall submit the request to the Information Regulator.

## 7. APPLICABLE LEGISLATION

Records relating to client’s personal information including bank accounts, tax records and portfolios transactions, and performance on behalf of clients. We also hold records relating to licensing requirements with the FSCA, as well as any changes required by law. Additionally terms of business records and due diligence applicable to various financial service providers.

7.1 The company keeps records in accordance with the following legislation, all of which are available, subject to such legislation and the Act:

Applicable legislation	Category of Records
Auditing Profession Act 26 of 2005	
Basic Conditions of Employment Act, No. 75 of 1997	
Close Corporations Act 69 of 1984	
Companies Act, No. 71 of 2008	
Consumer Protection Act, No 68 of 2008	
Compensation for Occupational Injuries and Diseases Act, No 130 of 1993	

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Electronic Communications and Transactions Act, No. 25 of 2002	
Employment Equity Act, No. 55 of 1998	
Financial Intelligence Centre Act, No 38 of 2001	
Income Tax Act, No. 95 of 1967	
Insolvency Act, No 24 of 1936	
Labour Relations Act, No. 66 of 1995	
Promotion of Access to Information Act, No. 2 of 2000	
Protection of Personal Information Act, 4 of 2013	
Occupational Health and Safety Act, No 85 of 1993	
Tax Administration Act, No 28 of 2011	
Transfer Duty Act, No. 40 of 1949	
Securities Transfer Tax Administration Act, No. 26 of 2007	
Unemployment Contributions Act, No. 4 of 2002	
Unemployment Insurance Act, No. 63 of 2001	
Value Added Tax Act, No. 89 of 1991	
Financial and Intermediary Services Act, No. 37 of 2002	
Collective Investments Schemes Act, No. 45 of 2002	

## 8. CATEGORIES OF RECORDS HELD

### 8.1 Records held by bird private client wealthcare (Pty) Ltd

*Bird private client wealthcare offers a segregated bespoke portfolio management service to clients utilizing direct equities and exchange traded funds, Internationally and locally. This requires as to hold records of clients and of other financial institutions that we interact with, as well as records relating to bird's companies' affairs.*

CATEGORIES	RECORD / DESCRIPTION OF RECORD
<b>Human Resources:</b>	<ul style="list-style-type: none"> <li>Employee information</li> </ul>
	<ul style="list-style-type: none"> <li>Policies and procedures</li> </ul>
	<ul style="list-style-type: none"> <li>Proof of payment of annual registration fees</li> </ul>

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<b>Secretarial</b>	<ul style="list-style-type: none"> <li>• Memorandum and Articles of Association</li> </ul>
	<ul style="list-style-type: none"> <li>• Minutes of Meetings</li> </ul>
	<ul style="list-style-type: none"> <li>• Company register</li> </ul>
	<ul style="list-style-type: none"> <li>• Resolutions</li> </ul>
	<ul style="list-style-type: none"> <li>• Statutory returns</li> </ul>
	<ul style="list-style-type: none"> <li>• Memorandum and Articles of Association</li> </ul>
<b>Financial and administration</b>	<ul style="list-style-type: none"> <li>• Financial statements</li> </ul>
	<ul style="list-style-type: none"> <li>• Reports and returns</li> </ul>
	<ul style="list-style-type: none"> <li>• Banking records</li> </ul>
	<ul style="list-style-type: none"> <li>• Debtors / Creditors lists, statements and invoices</li> </ul>
	<ul style="list-style-type: none"> <li>• Statutory submission for tax, UIF, Skills Development etc</li> </ul>
	<ul style="list-style-type: none"> <li>• Audit reports</li> </ul>
<b>Information Management and Technology</b>	<ul style="list-style-type: none"> <li>• Risk management and compliance programmes</li> </ul>
	<ul style="list-style-type: none"> <li>• Equipment Register</li> </ul>
	<ul style="list-style-type: none"> <li>• Information processing policies and procedures</li> </ul>
	<ul style="list-style-type: none"> <li>• Software licenses</li> </ul>
<b>Movable and Immovable Property</b>	<ul style="list-style-type: none"> <li>• Privacy policies</li> </ul>
	<ul style="list-style-type: none"> <li>• Lease agreements</li> </ul>
<b>Operations</b>	<ul style="list-style-type: none"> <li>• Archival Administration Documentation</li> </ul>
	<ul style="list-style-type: none"> <li>• Insurance (insurance arrangements, policies and claims)</li> </ul>
	<ul style="list-style-type: none"> <li>• Income Tax files</li> </ul>
<b>Service providers</b>	<ul style="list-style-type: none"> <li>• Terms and conditions for use of services</li> </ul>
	<ul style="list-style-type: none"> <li>• Service level agreements</li> </ul>
	<ul style="list-style-type: none"> <li>• Invoices</li> </ul>
<b>Customer/ Clients and third parties related records</b>	<ul style="list-style-type: none"> <li>• Contracts, engagement letters with Clients</li> </ul>
	<ul style="list-style-type: none"> <li>• Any records the Client has provided to us or a third party acting for or on behalf of the bird private client wealthcare (Pty) Ltd</li> </ul>
	<ul style="list-style-type: none"> <li>• Records, reports, financial statements, audit reports, trust deeds and the like generated by bird private wealthcare's for their clients</li> </ul>
	<ul style="list-style-type: none"> <li>• Records generated pertaining to the Client, including transactional records, tax submissions, secretarial records</li> </ul>
	<ul style="list-style-type: none"> <li>• Marketing strategies</li> </ul>

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<b>Marketing and communication</b>	<ul style="list-style-type: none"> <li>• Communication strategies</li> </ul>
	<ul style="list-style-type: none"> <li>• Agreements</li> </ul>
<b>Other records</b>	<ul style="list-style-type: none"> <li>• Newsletters</li> </ul>
	<ul style="list-style-type: none"> <li>• Legal proceedings records</li> </ul>

## 8.2 Records available without request

The following categories of record of the body are available without a person having to request access in terms of this PAIA:

- Records available on organisation website;
- Records of services offered;
- Policies, notices or disclosures required by law to be available to the public.

## 9. PROCESSING OF PERSONAL INFORMATION

### 9.1 General

Section 17 of POPIA requires a “responsible party must maintain the documentation of all processing operations under its responsibility as referred to in section 14 or 51 of the Promotion of Access to Information Act” and as such the access to information, manual should provide for provisions relating to the processing of personal information in terms of POPIA.

### 9.2 Purpose of processing personal information

Bird private client wealthcare (Pty) Ltd process personal information, in one or more ways as defined by the POPI Act, for the purpose of rendering services to clients, to maintain the business relationship, comply with terms of legislative requirements, to perform our obligations in terms of our engagements with clients, employees and services providers, if the processing protects the legitimate interest of our data subjects or to pursue the legitimate interest of bird private client wealthcare (Pty) Ltd.

### 9.3 Categories of data subjects

The records of personal information processed by the organization for the following data subjects will be limited to the functions or the activity for which it is intended:

### 9.3 Categories of data subjects

The records of personal information processed by the organization for the following data subjects will be limited to the functions or the activity for which it is intended:

<b>Data subjects</b>	<b>Personal information processed by the organisation</b>
Clients	Personal information

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Employees	N/A
Services providers	Terms of business and due diligence records
Others (specify)	

#### 9.4 Recipients of records of personal information

- 9.4.1 Employees within the organization;
- 9.4.2 Associates or subsidiaries within a Group;
- 9.4.3 Operators or service providers;
- 9.4.4 Regulatory bodies;
- 9.4.5 Governmental organisation or bodies;
- 9.4.6 Other(Specify) :

#### 9.5 Cross border transfers

The organization will not transfer personal information to a third party in a foreign country without ensuring that it complies with POPIA provisions or subscribes to similar personal information protection laws. Personal information shall not be shared with countries that do not subscribe to personal information protection laws unless the organization has entered into an agreement in terms of which the third party subscribes to the obligations for lawful processing of personal information.

Purpose of cross border transfers	Personal Information	Country
Storage	ID, name, address	United Kingdom, Guernsey, Isle of Man

#### 9.6 Measures to protect personal information

The organization shall implement reasonable and appropriate technical and organisational measures to prevent the loss, damage or unauthorized destruction of personal information and unlawful access to or processing of personal information which shall include measures to:

- **Identify** all reasonably foreseeable internal and external risk to personal data under its control;
- Establish and maintain **appropriate safeguards** against the risks identified;
- **Monitor and verify** the effectiveness of safeguards;
- **Update** the safeguards in response to new risks or deficiencies in safeguards.

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The organization has adopted a POPI Compliance and Privacy notice which describes how the organization deals with personal information and is available on request or the organisation website. The organisation has furthermore implemented a POPI Risk Management and Compliance Framework which documents the security safeguards implemented to ensure confidentiality and integrity of personal information.

#### **10. DETAILS ON HOW TO MAKE REQUESTS FOR ACCESS TO RECORDS HELD BY BIRD PRIVATE CLIENT WEALTHCARE (PTY) LTD**

- 10.1 A requester requiring access to information held by the organization must complete the prescribed form (Form 2 of Annexure A to the Regulations) available from the Information Regulator website (<https://www.justice.gov.za/inforeg/docs2-f.html>) and submit it to the Information Officer at the address, fax number or electronic mail address provided for above, and also make the payment of the prescribed fees. Refer to Annexure A of this document.
- 10.2 A “requester”, in relation to a private body, means “(i) any person, including, but not limited to a public body or an official thereof, making a request for access to a record of that private body; or (ii) a person acting on behalf of the person contemplated in (i). A “personal requester” means a requester seeking access to a record containing personal information about the requester.
- 10.3 The prescribed form must be completed with enough particularity to enable the Information Officer to identify:
  - 10.3.1 the record(s) requested;
  - 10.3.2 the identity of the requester;
  - 10.3.3 indicate which form of access is required, if the request is granted;
  - 10.3.4 specify the postal address or fax number of the request in the Republic;
- 10.4 The requester must state which right she or he is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of such right.
- 10.5 The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, she or he must state the manner and the particulars so required.
- 10.6 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.
- 10.7 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The Information Officer shall assist to complete the prescribed form.

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- 10.8 Bird private client wealthcare (Pty) Ltd will process the request within 30 days unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above periods not be complied with.
- 10.9 The Information Officer may in considering a request for access to a record that might be a record contemplated in section 63(1), 64(1), 65 or 69(1) of PAIA, must take all reasonable steps, required in Section 71 of PAIA, to inform the third party to whom or which the record relates of the request. The third-party will be provided with an opportunity to make written representations as to why the request for the record should be refused, alternatively provide consent to disclose the record.

## **11. PRESCRIBED FEES**

The following applies to requests (other than requests from personal requester):

- 11.1 A requestor is required to pay a prescribed fee before a request will be processed;
- 11.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one-third of the access fee which would be payable if the request were granted);
- 11.3 A requester may lodge an application with a court or lodge a complaint with the Information Regulator against the tender/payment of the request fee and/or deposit;
- 11.4 Records may be withheld until the fees have been paid.
- 11.5 The fee structure is available on the website of the Information Regulator under Government Gazettes relating to PAIA ( GG 45057, GoN 757).
- 11.6 Refer to Annexure 2 of the PAIA Manual

## **12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

The main reason(s) why the organization may refuse a request for information relates to the –

- 12.1 mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person (section 63);
- 12.2 mandatory protection of the commercial information of a third party, if the record contains –
- 12.2.1 trade secrets of that third party;
  - 12.2.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - 12.2.3 information disclosed in confidence by a third party to the Company if the disclosure could put that third party at a disadvantage in negotiations or commercial competition (section 64);

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- 12.3 mandatory protection of confidential information of third parties if it is protected in terms of any agreement ( section 65);
- 12.4 mandatory protection of the safety of individuals and the protection of property (section 66);
- 12.5 mandatory protection of records which would be regarded as privileged in legal proceedings (section 67);
- 12.6 the commercial activities of the organization, which may include –
  - 12.6.1 trade secrets of the organization;
  - 12.6.2 financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the organization;
  - 12.6.3 The information which, if disclosed could put the organization at a disadvantage in negotiations or commercial competition;
  - 12.6.4 a computer program that is owned by the organization, and which is protected by copyright (section 68);
- 12.7 Mandatory protection of research information of the third party, and protection of research information of private body (Section 69)
- 12.8 Requests for information that is frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

### **13. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION**

The following remedies are available to the requesting party when the organisation, as a private body, refuses the request for a record of information.

#### **13.1 Internal Remedies**

The organization does not have an internal appeal procedure. As such, the decision made by the Information Officer is final, and requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requester is not satisfied with the answer supplied by the Information Officer.

#### **13.2 External Remedies<sup>15</sup>**

##### **13.2.1 Complaint to Information Regulator**

A requester that is dissatisfied with an Information Officer's refusal to disclose information or "*aggrieved by a decision of the head of a private body-*  
*(i) to refuse a request for access; or*

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<sup>15</sup> External remedies as applicable to private bodies



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*(ii) taken in terms of section 54, 57 (1) or 60, may within 180 days of the decision, submit a complaint, alleging that the decision was not in compliance with PAIA, to the Information Regulator in the prescribed manner and form for appropriate relief.<sup>16</sup>*

### 13.2.2 Application to Court

A requester or third party may only apply to a court for appropriate relief in terms of section 82 of PAIA in the following circumstances after exhausting alternative remedies such as:

- The Internal appeal procedure referred to in Section 74; or
- After that requester or third party has exhausted the complaints procedure referred to in section 77A of the PAIA Act.

A requester-

*“(a) that has been unsuccessful in an internal appeal to the relevant authority of a public body;  
(b) aggrieved by a decision of the relevant authority of a public body to disallow the late lodging of an internal appeal in terms of section 75 (2);  
(c) aggrieved by a decision of the information officer of a public body referred to in paragraph (b) of the definition of 'public body' in section 1- (i) to refuse a request for access; or (ii) taken in terms of section 22, 26 (1) or 29 (3);  
(d) aggrieved by a decision of the head of a private body- (i) to refuse a request for access; or (ii) in terms of section 54, 57 (1) or 60; or  
(e) that is aggrieved by any decision of the Information Regulator, may, by way of an application, within 180 days apply to a court for appropriate relief in terms of section 82.”*

## 14 AVAILABILITY OF THIS MANUAL

- 14.1 This manual is available for inspection by the general public upon request, during office hours and free of charge at the physical address of the bird private client wealthcare (Pty) Ltd.
- 14.2 This manual is available on the website.
- 14.3 This manual will be updated from time to time. This Manual was last revised on 6<sup>th</sup> January 2024.

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<sup>16</sup> Section 77A(2) (d) (i) - (ii)





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## ANNEXURE 1 - PRESCRIBED FORMS

FORM	DESCRIPTION	LINK
FORM 1	REQUEST FOR COPY OF THE GUIDE	<a href="https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form01-Reg2.pdf">https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form01-Reg2.pdf</a>
FORM 1	REQUEST FOR A COPY OF THE GUIDE FROM AN INFORMATION OFFICER	<a href="https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form01-Reg3.pdf">https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form01-Reg3.pdf</a>
FORM 2	REQUEST FOR ACCESS TO RECORD	<a href="https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf">https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf</a>
FORM 5	LODGING OF COMPLAINT	<a href="https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form05-Reg10.pdf">https://www.justice.gov.za/inforeg/docs/forms/InfoRegSA-PAIA-Form05-Reg10.pdf</a>

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Directors: Andre Botha B.Com.

Registration Number: 2006/032897/07 FSP Number: 41071



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## ANNEXURE 2 - FEES IN RESPECT OF PRIVATE BODIES

1. A person who requests a copy of a record of a record contemplated in Regulation 4 or 5 of the PAIA Regulations or access to a record as contemplated in Regulation 7 of the Regulations, may be charged the fee for reproduction and postage.

Item	Description	Amount
1	The request fee payable by every requester	R140.00
2	Photocopy/printed black and white copy of A4-size page	R2.00 per page or part thereof
3	A printed copy of A4-size page	R2.00 per page or part thereof
4	For a copy on a computer-readable form on;  Flash drive (to be provided by the requester)  Compact disc <ul style="list-style-type: none"> <li>● Provided by requester</li> <li>● Provided to requester</li> </ul>	R40.00  R40.00 R60.00
5	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the Service Provider.
6	Copy of visual images	Service to be outsourced. Will depend on the quotation of the Service Provider.
7	Transcription of an audio record on an A4-sized page	R24.00
8	Copy of an audio record on:  Flash drive  Compact disc <ul style="list-style-type: none"> <li>● Provided by requester</li> <li>● Provided to requester</li> </ul>	R40.00  R40.00 R60.00
9	To search and prepare the record of disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such a search and preparation.  To not exceed a total cost of	R145.00  R435.00

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10	Deposit: if search exceeds 6 hours	One-third of the amount per request is calculated in terms of items 2 - 8.
11	Postage, email or any other electronic transfer	Actual expense if any

3. For purposes of section 54(2) of the Act, if
  - a. The search for a record of a private body in respect of which a request of access by a requester, other than a personal requester, has been made, and
  - b. The preparation of the record for disclosure (including any arrangements contemplated in section 29(2) (a) and (b) (i) and (ii) (aa), of the PAIA Act would in the opinion of the head of the private body concerned require more than the 6 hours described for this purpose for requesters, the head must by notice require the requester to pay as a deposit the described portion (being not more than one third) of the access fee which would be payable if the request is granted.
4. The actual postage is payable when a copy of a record must be posted to a requester.