

**SECTION 51 MANUAL FOR
FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC**
2004/028055/08

**INFORMATION MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT 2 OF 2000, INCLUDING REQUEST FOR INFORMATION
FORMS**

FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC (whereby its subsidiary company, the FPI Centre for Professional Development (Pty) Ltd, is deemed to be included) is an independent professional body for financial planners and advisors in Southern Africa.

CONTACT DETAILS OF THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer
84 Sophia Street, Fairland, Johannesburg.
PO Box 6493, Weltevredenpark, 1715.
Telephone (011) 470 6000
Email: CEO@fpi.co.za

1. PROCEDURES FOR OBTAINING ACCESS TO INFORMATION

Contact Details

Any person who wishes to request any information from FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC with the object of protecting or exercising a right may contact the Information Officer whose contact details are as follows:

Postal Address

The Information Officer
FINANCIAL PLANNING INSTITUTE
P.O Box 6493
Weltevredenpark
1715
Tel: (011) 470 6000
Email : legal@fpi.co.za

Physical address

The Information Officer
FINANCIAL PLANNING INSTITUTE
84 Sophia Street
Fairland
Johannesburg
Tel. (011) 470 6000
Website : www.fpi.co.za

Prescribed Access Form

A request for access to a record of FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC must be made in the prescribed form to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC at the address or electronic mail address given above. The form requires the requester to provide the following information:

- sufficient information to enable the information officer to identify the requester;
- sufficient information to enable the information officer to identify the record(s) requested;
- the form of access required;
- the requester's postal address or fax number;

identification of the right sought to be exercised or protected;
an explanation on why the record is required to exercise or protect that right;
the way the requester wishes to be informed of the decision on the request, if in a manner in addition to written notification; and
if the request is made on behalf of another person, the submission of proof of the capacity in which the requester makes the request, to the satisfaction of the information officer.

For a specimen of the request form see **ANNEXURE A**.

Requesters must note that all the information as listed above should be provided, failing which the process will be delayed while FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC requests such additional information.

The prescribed time periods will not commence until all pertinent information has been furnished to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC by the requester.

Prescribed Fees

Payment of fees is regulated by the Act. There are two types of fees:

Request fee: This is a non-refundable administration fee payable by all requesters who are not personal requesters. It is paid before the request is considered. The amount payable to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC is R50 (Fifty Rand). The amount may be increased by appropriate regulation from time to time. The requester may lodge an application to Court against the tender or payment of the request fee.

Access fee: This is payable by all requesters only when access is granted. This fee is intended to reimburse FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC for the costs involved in searching for a record and preparing it for delivery to the requester.

FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees is attached as **ANNEXURE B**. These fees may be increased by regulation from time to time.

Requester other than Personal Requester

The information officer must give written notice to a requester other than a personal requester of the request fee and amount to be paid before the request may be further processed.

If in the information officer's opinion the search for a record, or preparation of the record for disclosure will require more than the prescribed hours, the information officer may require the requester to pay a deposit, not being more than one third of the access fee that would be payable if the request is granted. If the request is declined, the deposit must be repaid to the requester.

Personal Requester

A personal requester is described in terms of the Act as a requester seeking access to a record containing information about the requester.

A personal requester is not liable to pay a request fee or a deposit but is liable for payment of access fees in the event of a request being granted.

2. HUMAN RIGHTS COMMISSION GUIDELINE

The Human Rights Commission have compiled a guide in terms of Section 10 of the Act. This guide is intended to assist users in the interpretation and use of the Act and is available on its website. Direct any queries to:

The South African Human Rights Commission
PAIA Unit
Private Bag 2700
Houghton
2041
Tel: (011) 484-8300
Fax: (011) 484-1360
Website www.sahrc.org.za
Email : paia@sahrc.org.za

3. TYPES OF RECORDS

The requester may request access to the following types of documents;

Personnel Records

These include but are not limited to the following:

- Any personal records provided to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC by their personnel;
- Any records a third party has provided to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

Member-related records

A member includes any natural or juristic entity who is entitled to membership benefits from FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC. Member-related information includes but is not limited to the following:

- Any records a member has provided to a party acting for or on behalf of FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC;
- Any records a third party has provided to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC; and
- Records generated by or within FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC pertaining to the member, including transactional records.

Professional/private body records

This includes but is not limited to the following:

- Financial records;
- Operational records;
- Marketing records;
- Membership lists;
- Student records;
- Examination results;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC.

Other Parties

FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC may possess records pertaining to other parties, including without limitation, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers.

Alternatively, such other parties may possess records which can be said to belong to FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC.

The following records fall under this category:

- Personnel, customer, or FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC records which are held by another party as opposed to being held by FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC; and
- Records held by FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors / suppliers.

Records Available in terms of other legislation

The requester may also request information which is available in terms of legislation, such as the following;

- Basic Conditions of Employment Act, Companies Act, Compensation for Occupational Injuries & Diseases Act, Consumer Affairs Act, Copyright Act, Employment Equity Act, Financial services Board Act, Income Tax Act, Insolvency Act, Intellectual Property Laws Amendment Act, Labour Relations Act, Long Term Insurance Act, Occupational Health and Safety Act, Pension Funds Act, Public Accountants and Auditors Act, Promotion of Equality and Prevention of Unfair Discrimination Act, Regional Services Councils Act, Short Term Insurance Act, Skills Development Act, Skills Development Levies Act, Stock Exchange Control Act, Stamp Duties Act, Unemployment Contributions Act, Unemployment Insurance Act, Usury Act, Value Added Tax Act.

The Information officer will take into consideration the grounds for refusal of a request in terms of the Act to decide on whether access to any of the information stated above should be given to the requester.

Records Available without application in terms of the Act

These records are available in the public domain and are available on request from the Information Officer. The prescribed fee for copying will be applied.

Information published on the website of FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC

Records covered under the listing requirements of the JSE Securities Exchange of South Africa and the Companies Act

4. AVAILABILITY OF MANUAL OF FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC

This manual is available for inspection at the offices of FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC, as detailed above, free of charge. A copy is also available at the South African Human Rights Commission and in the Government Gazette. The manual is also available for viewing on the website, being: www.fpi.co.za

ANNEXURE A

FORM FOR REQUEST FOR ACCESS TO A RECORD OF FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC

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REQUEST FOR ACCESS TO RECORD OF A PRIVATE BODY

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

(Regulation 4)

Particulars of private body

Postal Address

The Information Officer
FINANCIAL PLANNING INSTITUTE
P.O Box 6493
Weltevredenpark
1715
Tel: (011) 470 6000
E-mail : legal@fpi.co.za

Physical address

The Information Officer
FINANCIAL PLANNING INSTITUTE
84 Sophia Street
Fairland
Johannesburg
Tel. (011) 470 6000
Website : www.fpi.co.za

Particulars of person requesting access to the record

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

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:

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

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname:

Identity number: _____

B. 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 record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

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.*
(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 therefor.*

Reason for exemption from payment of fees:

Form of access to 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) Your indication as to the required form of access depends 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 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 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 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*
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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?

YES NO

A postal fee is payable.

C. 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.

Indicate which right is to be exercised or protected:

1. 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 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 _____ on ____/____/____

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

Reproduction fees

Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

The applicable fees for reproduction as referred to above are:

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For every photocopy of an A4-size page or part thereof	10,00
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	10,00
For a copy in a computer-readable form	70,00
A transcription of visual images, on A4-size page or part thereof	40,00
For a copy of visual images	60,00
Transcription of audio record, on A4-size page or part thereof	20,00
For a copy of an audio record	30,00
To search for a record that must be disclosed, R30,00 per hour or part of an hour reasonably required for such search.	
Where a copy of a record needs to be posted the actual postal fee is payable.	

Deposits

Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.