

AGO20230720 PAIA MANUAL

Financial Planning Institute of Southern Africa



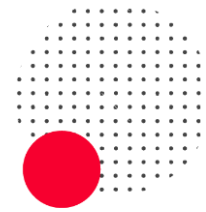
Financial Planning
Institute of Southern Africa

THE PROFESSIONAL STANDARD

DOCUMENT MANAGEMENT

Policy manager	Legal Manager
Implementer	All Departments
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Section 51 Manual for The 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.

THE FINANCIAL PLANNING INSTITUTE OF SOUTHERN AFRICA NPC (whereby its subsidiary company, the FPI Centre for Professional Development (Pty) Ltd, is included) (referred to herein as “FPI”) is a 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.
Telephone (011) 470 6000
Email: CEO@fpi.co.za

PROCEDURES FOR OBTAINING ACCESS TO INFORMATION

Any person who requests information from FPI with the object of protecting or exercising a right may contact the Information Officer whose contact details are as follows:

Email Address

The Information Officer
Financial Planning Institute
Email: legal@fpi.co.za
Tel: (011) 470 6000
Website: www.fpi.co.za

Street address

The Information Officer
Financial Planning Institute
84 Sophia Street
Fairland
Johannesburg
2170

PRESCRIBED ACCESS FORM

A request for access to a record of FPI must be made in the prescribed form to us at email or street addresses given above.

The requester is required to provide the following information:

- 1) Sufficient information to enable the information officer to identify the requester.
- 2) Sufficient information to enable the information officer to identify the record(s) requested.
- 3) The type of access required.
- 4) The requester's email and street address.
- 5) Information about the right that the requester wants to exercise or protect.
- 6) An explanation on why the record is required to exercise or protect that right.
- 7) How the requester prefers to be informed of the decision on the request, if other than a written email notification; and
- 8) If the request is made on behalf of another person, proof of the requester's authority and capacity to the satisfaction of the information officer must be given.

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, a reply may be delayed if FPI needs to request additional information.

The prescribed time periods will not commence until all pertinent information has been furnished to FPI by the requester.

PRESCRIBED FEES

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

Requester other than Personal Requester

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 FPI 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 FPI for the costs involved in searching for a record and preparing it for delivery to the requester.

FPI may withhold a record until the request fee and the deposit (if applicable) have been paid. A schedule of the prescribed fees at the time of preparation hereof is attached as ANNEXURE B. These fees may be increased by regulation from time to time.

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.

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

TYPES OF RECORDS

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

1) Personnel Records

These include but are not limited to the following:

- a) Any personal records provided to FPI by their personnel.
- b) Any records a third party has provided to FPI about any of their personnel.
- c) Conditions of employment and other personnel-related contractual and quasi-legal records.
- d) Internal evaluation records.
- e) Other internal records and correspondence.

2) Member-related records

A member includes any natural or juristic entity who is a member of FPI. Member-related information includes but is not limited to the following:

- a) Any records a member has provided to a party acting for or on behalf of FPI.
- b) Any records a third party has provided to FPI.
- c) Records generated by or within FPI pertaining to the member, including transactional records.

3) Professional/private body records

This includes but is not limited to the following:

- a) Financial records.
- b) Management records.
- c) Marketing records.
- d) Member lists.
- e) Student records.
- f) Examination results.
- g) Correspondence.
- h) Product records.
- i) Statutory records.
- j) Internal policies and procedures.
- k) Records held by officials of FPI.

4) Other Parties

- a) FPI may possess records about other parties, such as, contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, service providers.
- b) Alternatively, other parties may possess records about or of FPI.
- c) The records falling under this category are:
 - i) Personnel, customer, or records of FPI that are held by another party as opposed to being held by FPI; and
 - ii) Records held by FPI about or of other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about contractors or suppliers.

5) 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 may 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.

6) 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.

- 7) Information published on the FPI website.

AVAILABILITY OF FPI PAIA MANUAL

This manual is available for inspection at the offices of FPI, 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 FPI 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 person requesting access to the record

The particulars of the person who requests access to the records must be recorded below. Furnish an email or physical address in the Republic to which information may be sent. Proof of the capacity in which the request is made, if applicable, must be attached.

Requester full name and surname:

Identity number: _____

Street Address: _____

Telephone number: _____

E-mail address: _____

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

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: _____

Particulars of record:

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. If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional pages.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

Fees

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. You will be notified of the amount required to be paid as the request fee. 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. 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: <hr/>	Form in which record is required: <hr/>
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Mark the appropriate box with an "X"

NOTES:

Requester's indication about the required form of access depends on the form in which the record is available.

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.

The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

If the record is in written or printed form:

Copy of record*		Inspection of record	
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If record consists of visual images:

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

View the images		Copy of the images*		Transcription of images*	
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If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack. (audio/digital record)		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:

Printed copy of record		Printed copy of information derived from the record*		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?
The postal or courier fee is payable.

YES NO

Particulars of right to be exercised or protected:

If the provided space is inadequate, please continue on a separate page and attach it to this form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected:

Explain why the requested record is required to exercise or protect the above 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 information 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.

