



BUSINESS/PARTNERS

POPIA RESOURCES



YEARS OF
FINANCING
ENTREPRENEURS



PROMOTION OF ACCESS TO INFORMATION MANUAL

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AUTHORISATION:

Revision number	Title	Signature	Date
00	Company Secretary		
00	Managing Director		

BUSINESS PARTNERS LIMITED

("BUSINESS PARTNERS")

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

('PAIA Manual') / ("Manual")

Published as prescribed by the Promotion of Access to Information Act, 2000, as amended
by the Protection of Personal Information Act, 2013

This Manual is for Business Partners Limited, including all branches and its subsidiaries
listed in **Appendix A** hereto hereinafter collectively referred to as "**Business Partners**")



Information Officer

Date: 1 July 2021

1. PREAMBLE

- 1.1. The **Promotion of Access to Information Act, 2000 (“PAIA”)** came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the **Constitutional right of access to any information** held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. **Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable.** PAIA sets out the requisite procedural issues attached to information requests.
- 1.2. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.
- 1.3. This Manual constitutes the Business Partners PAIA manual. This Manual is compiled in accordance with section 51 of PAIA **as amended by the Protection of Personal Information Act, 2013 (“POPIA”), which gives effect to everyone’s Constitutional right to privacy.** POPIA promotes the **protection of personal information processed** by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, **balancing the need for access to information against the need to ensure the protection of personal information** by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- 1.4. This PAIA manual also includes information on the submission of **objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.**

2. ABOUT BUSINESS PARTNERS

Business Partners Limited is a leading risk financier for formal small and medium-sized businesses (SMEs). Business Partners provides business finance and property finance, property management, business premises and non-financial services and sectoral knowledge (technical assistance and mentorship) to SMEs in South Africa and selected African countries, which are tailored to the SME’s individual requirements.

In 1981 the Small Business Development Corporation Ltd (SBDC) was established, with both the public and private sectors having equal shareholding. The main role of the SBDC was to provide investment capital and business support to small, medium and micro enterprises (SMMEs). In 1998, the Small Business Development Corporation Limited became Business Partners Limited. This repositioning process cemented our move into the niche SME market. In 2004 we opened our doors in Africa as Business Partners International.

Our new name 'BUSINESS/PARTNERS' reflects the partnership relationship we form with each of the entrepreneurs we support. It reflects our commitment not only to invest in viable businesses, but to also contribute the much needed value-adding support services to their businesses. It also expresses the partnership we form with the business owners we support.

3. CONTACT DETAILS

Name of Private Body: Business Partners Limited

Managing director: Mr. B. D. Bierman

Postal Address: P O Box 7780, Johannesburg, 2000

Physical Address: 37 West Street, Houghton Estate, Johannesburg, 2198

Telephone Number: 713 6600

Facsimile number: +27 (0)11 713 6650

E-mail: enquiries@businesspartners.co.za

Website: www.businesspartners.co.za

Information Officer: Ms. C.M. Gerbrands

E-mail of Information Officer: InformationOfficer@businesspartners.co.za

4. INFORMATION REGULATOR'S GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). The Information Regulator took over PAIA functions and regulatory mandate from the South African Human Rights Commission on 1 July 2021. Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Postal Address: 33 Hoofd Street

Physical Address: Forum III, 3rd Floor Braampark
Braamfontein, Johannesburg

E-mail Address: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/>

5. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

- to provide a **list of all records** held by the legal entity;
- to set out the requirements with regard to **who** may **request information** in terms of PAIA as well as the grounds on which a request may be **denied**;
- to define the **manner and form** in which a request for information must be submitted; and
- to **comply** with the additional requirements imposed by **POPIA**.

6. ENTRY POINT FOR REQUESTS

- 6.1. PAIA provides that a person may only make a request for information, if the information is required for the exercise or **protection of a legitimate right**.
- 6.2. Information will therefore not be furnished unless a person **provides sufficient particulars** to enable Business Partners to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to **justifiable limitations**, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used **for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings**.
- 6.3. The Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.
- 6.4. The Information Officer will facilitate the liaison with the internal legal team on all of these requests.
- 6.5. All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 3 above.

7. AUTOMATICALLY AVAILABLE INFORMATION

7.1. Information that is obtainable via the Business Partners website about Business Partners is automatically available and need not be formally requested in terms of this Manual.

7.2. The following categories of records are automatically available for inspection, purchase or photocopying:

- Interim Financial Statements
- Annual Financial Statements
- Shareholders' Notices
- Annual Integrated Reports
- B-BBEE Certificate
- Company press releases
- Brochures
- Publications
- Press Releases
- Various other marketing and promotional material.
- Website Business Partners: www.businesspartners.co.za. The Business Partners website is available to anybody who accesses the Internet.

8. INFORMATION AVAILABLE IN TERMS OF POPIA

8.1. In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Business Partners will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to Business Partners' [Privacy Policy](#) published on our website for further information.

8.2. Categories of data subjects and personal information collected by Business Partners

Categories of data subjects	Categories of Personal Information collected
Shareholders	personal / special information
	contact information
	bank details, for e.g. account number
Clients (including potential and previous clients)	personal / special personal information
	contact information
	bank details, for e.g. account number
	biometric information
	surveillance information (e.g. CCTV footage)

	client contracts
	location information
	data collected through cookies and tracking technologies
	data collected through surveys
	third-party information, such as from credit bureaux and the Companies and Intellectual Property Commission (CIPC).
Suppliers, service providers, or contractors	personal / special personal information
	supplier or supplier representative personal and contact information
	supplier contracts
	supplier bank details
	surveillance information of supplier representatives (e.g. CCTV footage)
	third-party information, for e.g. from credit bureau and the Companies and Intellectual Property Commission (CIPC).
Employees (prospective, previous and existing employees)	personal / special personal information
	education and psychometrics records
	medical information
	disability information
	biometric information
	pension and retirement fund information
	bank details
	tax and financial information
	employment contracts
	employee's beneficiary information
	performance records
	payroll records
	electronic access to premises records
	physical access to premises records
	surveillance records (CCTV footage)
	health and safety records
	training records
	background checks
	criminal checks
	credit records

	employment history
	vehicle registration
	curriculum vitae and application forms
	personal and contact information
Job applicants	employment history
	criminal checks
	credit records
	background checks
	disability information
	education and psychometrics records
	curriculum vitae and application forms
	medical and disability information
Family members and Children of Employees	child's personal information processed for e.g. birth certificate
	child's medical information and disability information
	surveillance records (e.g CCTV footage)
Visitors	contact details
	surveillance records (e.g CCTV footage)

8.3. The purpose of processing personal information

Depending on the category of personal information which is collected, the purposes for processing may include:

- 8.3.1. to provide you with the products or service which you have requested from Business Partners;
- 8.3.2. communication with data subjects;
- 8.3.3. to improve our services;
- 8.3.4. conducting research and compiling research reports;
- 8.3.5. provision of support services to data subjects;
- 8.3.6. preparing aggregated and anonymised reports;
- 8.3.7. to manage accounts, receive services and process payments;
- 8.3.8. to assess the suitability of job applicants for employment;
- 8.3.9. meeting legal obligations in respect of employment equity and to comply with other applicable laws.

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

Depending on the nature of the personal information, Business Partners may supply information or records to the following categories of recipients:

- 8.4.1. companies in the Business Partners group;
- 8.4.2. business associates;
- 8.4.3. statutory oversight bodies or regulators making a request for data;
- 8.4.4. any court, administrative or judicial forum, arbitration making a request for data or discovery in terms of the applicable rules (i.e. South African Revenue Services, or another similar authority) and anyone making a successful application for access in terms of PAIA; and
- 8.4.5. any person who conducts business with Business Partners, in the ordinary course of business;
- 8.4.6. companies that provide services to Business Partners or act on its behalf may have access to information about data subjects; and
- 8.4.7. third parties where the data subject provides consent.

8.5. Planned transborder flows of personal information

- 8.5.1. Business Partners may need to transfer a data subject's information to service providers in countries outside South Africa, in which case Business Partners will fully comply with applicable data privacy and protection legislation. This may happen if Business Partners' servers or suppliers and service providers are based outside South Africa, or if Business Partners' services are hosted in systems or servers outside South Africa and/or if a data subject uses Business Partners' services while visiting countries outside this area. These countries may not have data-protection laws which are similar to those of South Africa.
- 8.5.2. If Business Partners transfers personal information outside of South Africa, Business Partners will make sure that the information is protected in the same way as if it was being used in South Africa. Business Partners will use one of the following safeguards:
 - a. transfer to another country whose privacy legislation ensures an adequate level of protection of personal information similar or equivalent to South Africa; or
 - b. put in place a contract with the third-party that means they must protect personal information to the same standards as South Africa.

8.6. A general description of information security measures to be implemented by Business Partners

Business Partners takes appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

9. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the legislation as listed in **Appendix B**, to the persons or entities specified in such legislation.

10. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

10.1. Business Partners maintains records on the categories and subject matters listed below. **Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.**

10.2. Please note further that many of the records held by Business Partners are those of third parties, such as clients and employees, and Business Partners takes the **protection of third party confidential information** very seriously. In particular, where Business Partners acts in a professional capacity in relation to its clients as service provider, lender, landlord or otherwise, many of the records held are confidential and others are the **property of the client** and not of Business Partners. For further information on the grounds of refusal of access to a record please see paragraph 11.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of records	Records
<p>Internal records</p> <p>The records listed pertain to Business Partners' own affairs</p>	<ul style="list-style-type: none">• Memoranda and Articles of Association• Financial records• Operational records• Intellectual property• Marketing records• Internal correspondence• Service records• Statutory records• Internal policies and procedures• Minutes of meetings

Category of records	Records
<p>Personnel records</p> <p>For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of Business Partners and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Business Partners. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.</p>	<ul style="list-style-type: none"> • Any personal records provided to us by our personnel • Any records a third party has provided to us about any of their personnel • Conditions of employment and other personnel-related contractual and quasi legal records • Employment policies and procedures • Internal evaluation and disciplinary records and • Other internal records and correspondence.
<p>Client-related records</p>	<ul style="list-style-type: none"> • Contracts with the client and between the client and other persons
<p>Other third party records</p> <p>Records are kept in respect of other parties, including without limitation joint ventures and consortia to which Business Partners is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to Business Partners.</p>	<ul style="list-style-type: none"> • Personnel, client, or Business Partners records which are held by another party as opposed to being held by Business Partners • Records held by Business Partners pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers
<p>Other records</p>	<ul style="list-style-type: none"> • Information relating to Business Partners • Research information belonging to Business Partners or carried out on behalf of a third party

11. REQUEST PROCEDURE

11.1. Completion of the prescribed form

- 11.1.1. Any **request for access to a record** in terms of **PAIA** must substantially correspond with *Form C of Annexure B to Government Notice No. R.187 dated 15 February 2002* and should be specific in terms of the record requested. Please refer to [Appendix C](#).

- 11.1.2. A request for access to information which does not **comply with the formalities as prescribed by PAIA** will be returned to you.
- 11.1.3. POPIA provides that a data subject may, upon **proof of identity**, request Business Partners to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- 11.1.4. POPIA also provides that where the data subject is required to **pay a fee** for services provided to him/her, Business Partners must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.
- 11.1.5. **Grounds for refusal** of the data subject's request are set out in PAIA and are discussed below in 11.5.
- 11.1.6. **POPIA** provides that a **data subject may object, at any time, to the processing of personal information** by Business Partners, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as [Appendix E](#) and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.
- 11.1.7. **POPIA** provides that a data subject may also request Business Partners to **correct or delete personal information** about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Business Partners is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions. A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must **submit a request to the Information Officer** at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as [Appendix F](#).

11.2. Proof of identity

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

11.3. Payment of the prescribed fees

11.3.1. There are two categories of fees which are payable:

11.3.1.1. The request fee: R50

11.3.1.2. The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in **Appendix D**.

11.3.2. Section 54 of PAIA entitles Business Partners to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

11.3.3. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

11.4. Timelines for consideration of a request for access

11.4.1. Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

11.4.2. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

11.5. Grounds for refusal of access and protection of information

11.5.1. There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;

- if the record contains trade secrets, financial or sensitive information or any information that would Business Partners (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Business Partners.

11.5.2. Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

11.5.3. If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

12. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

12.1. If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

12.2. There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

12.3. Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

13. AVAILABILITY OF THIS PAIA MANUAL

This Manual is published on Business Partners' website at www.businesspartners.co.za. Copies of this Manual are available for inspection, free of charge, at the offices of Business Partners by contacting the Information Officer at InformationOfficer@businesspartners.co.za or at the contact details listed in 3 above.

Business Partners Ltd subsidiaries

- Business Partners International (Pty) Ltd
- Business Partners Properties 002 (Pty) Ltd
- Business Partners Property Brokers (Pty) Ltd
- Business Partners Ventures 1 (Pty) Ltd
- Cussonia Trust (Pty) Ltd
- JRC Properties (Pty) Ltd
- Lindros Investments (Pty) Ltd
- Unitrade 106 (Pty) Ltd
- Franchise Partners (Pty) Ltd - indirectly held 3
- Business Partners International Madagascar Société Anonyme - indirectly held 4
- Business Partners International Kenya Ltd - indirectly held 5
- Business Partners International Rwanda Ltd - indirectly held 4
- Business Partners International Adviser Ltd - indirectly held 5
- Business Partners International Namibia (Pty) Ltd - indirectly held 4
- Business Partners International Zambia Ltd - indirectly held 5

Key:

3. Franchise Partners (Pty) Ltd is a wholly-owned subsidiary of Business Partners Ventures 1 (Pty) Ltd.

4. This is a wholly-owned subsidiary of Business Partners International (Pty) Ltd.

5. These subsidiaries are owned by Business Partners Limited (1 percent shareholding) and Business Partners International (Pty) Ltd (99 percent shareholding).

Table of Legislation Business Partners Limited

Legislation	Specific Section/ regulation	Description of Documents	Person (If limited)
The Labour Relations Act 66 of 1995	Section 189(3)	The employer must disclose in writing all relevant information related to dismissals based on operational requirements including but not limited to <ul style="list-style-type: none"> (a) The reasons for the proposed dismissals; (b) The alternatives that the employer considered before proposing the dismissals, and the reasons for rejecting each of those alternatives; (c) The number of employees likely to be affected and the job categories of which they are employed; (d) The proposed method for selecting which employees to dismiss; (e) The time when, or the period during which the dismissals are likely to take effect; (f) The severance pay proposed; (g) Any assistance that the employer proposes to offer to the employees likely to be dismissed; (h) The possibility of the future employment of the employees who are dismissed; (i) The number of employees employed with the employer; and (j) The number of employees that the employer has dismissed for reasons based on its operational requirements in the preceding 12 months. 	Trade Union or representatives of the employees or employees
Employment Equity Act No. 55 of 1998	Section 18(1)	When a designated employer engages in consultation i.t.o. this Act the employer must disclose to the consulting parties all relevant information that will allow those parties to consult effectively.	Consulting parties
	Section 25(1), (2) & (3)	An employer must display at the workplace where it can be read by employees a notice in the prescribed form informing them about the provisions of the Employment Equity Act. In terms of sub-section 25(2) a designated employer must in each of its workplaces, place in prominent places that are accessible to all employees:	Employees

		<p>(a) The most recent reports submitted by that employer to the Director General;</p> <p>(b) Any compliance order, arbitration award or order of the Labour Court concerning the provisions of this Act in relation to that employer; and</p> <p>(c) Any other document concerning this Act as may be prescribed.</p> <p>In terms of section 25(3) an employer who has an employment equity plan must make a copy of the plan available to its employees for copying and consultation.</p>	
	Section 26	An employer must establish and for the prescribed period maintain records i.r.o. its workforce, its employment equity plan and any other records relevant to its compliance with this Act.	Employees
The Basic Conditions of Employment Act 75 of 1997	Section 29(1)	An employer must supply an employee when the employee commences employment with particulars of work. In terms of sub-section 2 when any matter changes the written particulars must be revised to reflect the change and the employee must be supplied with a copy of the document reflecting the change. In terms of section 29(4) the written particulars must be kept by the employer for a period of 3 years after termination of employment.	Employee
	Section 31(1)	<p>Every employer must keep a record containing at least the following information:</p> <p>(a) The employee's name and occupation;</p> <p>(b) The time worked by each employee;</p> <p>(c) The remuneration paid to each employee;</p> <p>(d) The date of birth of any employee under 18 years of age; and</p> <p>(e) Any other prescribed information.</p> <p>The record must be kept by the employer for a period of 3 years from the date of the last entry in the record.</p>	Employee
	Section 33(1)	<p>An employer must give an employee the following information in writing on each day the employee is paid:</p> <p>(a) The employer's name and address;</p> <p>(b) The employee's name and occupation;</p> <p>(c) The period for which the payment is made;</p> <p>(d) The employee's remuneration in money;</p> <p>(e) The amount and purpose of any deduction made from the remuneration;</p> <p>(f) The actual amount paid to the employee.</p>	Employee

	Section 66(1)	In order to monitor or enforce compliance with any employment law a labour inspector may require a person to disclose information either orally or in writing and either alone or in the presence of witnesses on any matter to which an employment law relates and require that disclosure be made under oath, copy any record or document to which an employment law relates.	Labour Inspector
Identification Act 68 of 1997	12	The Director General may: (a) Request any person to furnish the Director General with proof of the correctness of any particulars which have been furnished i.r.o. such person in any document i.t.o. this act; and (b) Investigate or cause to be investigated any matter i.r.o. which particulars are required to be recorded in the Population Register.	Director General of Home Affairs
Compensation for Occupational Injuries and Diseases Act 130 of 1993	Section 6(1)(a)	1(a) The Director General may subpoena any person who in his opinion is able to give information concerning the subject of any enquiry i.t.o. this Act or who is suspected to have in the opinion of the Director General has in his possession or custody or under his control any book, document or thing which has a bearing on the enquiry, to appear before him at a time and place specified in the subpoena, to be interrogated or to produce such book, document or thing, and the Director General may retain such book, document or thing for further investigation.	Director General
	Section 7	3. An authorised person may question any person who is or was on the premises either alone or in the presence of any other person or any matter to which this act relates, (c) Order any person who has control over or custody of any book, document or thing or in those premises to produce to him forthwith, or at such time and place as may be determined by him, such book, document or thing. (d) At any time and place order any person who has the possession or custody of or is in control of a book, document or thing relating to the business of an employer or previous employer, to produce forthwith or at such time and place as may be determined by him, such book, document or thing seize any book, document or thing which in his opinion may serve as evidence in any matter i.t.o. this Act or cause to be examined any book, document or thing produced to him or seized by him, and make extracts therefrom or copies thereof and order any person who, in his opinion, is qualified thereto to explain entry therein.	Authorised Person
	Section 40	2. An employee or employer shall at the request of the Director General furnish such further particulars regarding the accident and injuries concerned the Director General may require.	Director General

	Section 80	Employer to register with Director General and to furnish him with particulars.	Director General
	Section 80	1. An employer carrying on business in the Republic shall within the prescribed period and in the prescribed manner register with the Commissioner and shall furnish the Commissioner with the prescribed particulars of its business and shall within a period determined by the Commissioner furnish such particulars as the Commissioner may require.	Commissioner
	Section 81	An employer shall keep a register or other record of the earnings and other prescribed particulars of all employees and shall at all reasonable times produce such register or record or a micro film or other micro form reproduction thereof on demand to an authorised person referred to in section 7 for inspection. (2) An employer shall retain the register, record or reproduction referred to in sub-section 1 for a period of at least 4 years after the date of the last entry in that register or record.	Authorised Person
	Section 82	An employer shall not later than the 31st day of March in each year furnish the Commissioner with a return in the prescribed form, certified by him, her or it as correct showing: (a) The amount of earnings up to the maximum paid by him, it, its employees during the period with effect from the 1st day of March of the immediately preceding year up to and including the last day of February of the following year; and (b) Such further information as may be prescribed that it now may require.	Director General

	Section 32A	(1) Any inspector furnished with inspection authority in writing by the Board may conduct an investigation to determine whether the provisions of the Act are being or have been complied with and may, subject to sub-section 5 for that purpose without giving prior notice at all reasonable times: (a)(iii) Enter any place i.r.o. which he has reason to believe that there are books, records, documents to which the provisions of this Act are applicable.	Inspector or the manager
Competition Act 89 of 1998	Section 49A	1. At any time during an investigation i.t.o. the Act the Commissioner may summon any person who is believed to be able to furnish any information on the subject of the investigation, or to have possession or control of any book, document or other object that has a bearing on that subject: (a) To appear before the Commissioner or a person authorised by the Commissioner, to be interrogated at a time and place specified in the summons; or (b) At a time and place specified in the summons, to deliver or produce to the Commissioner, or a person authorised by the Commissioner, any book, document or other object specified in the summons.	Commissioner
	Section 54	The member of the Competition Tribunal presiding at the hearing may: (a) Direct or summon any person to appear at any specified time and place; (b) Question any person under oath or affirmation; (c) Summon or order any person; (i) To produce any book, document or item necessary for the purpose of the hearing.	Member of the Competition Tribunal
	Section 56	3. The Competition Tribunal may order a person to answer any question, or to produce any article or document, even if it is self-incriminating to do so.	Competition Tribunal
Insolvency Act 24 of 1936	Section 21	7. Before awarding any creditor a share in the proceeds, the trustee may require the creditor to lodge with him, within a period to be determined by the Master, an affidavit, supported by such evidence as may be available, setting forth the result of such excursion and disclosing the balance of his claim which remains unpaid.	Trustee

	Section 44	4. Every claim shall be proved by affidavit which may be made by the creditor or by any person fully cognisant of the claim. The said affidavit or a copy thereof and any documents submitted in support of the claim shall be delivered at the office of the officer who is to preside at a meeting of creditors.	Officer who is to preside at a meeting of creditors
	Section 152	2. If at any time after the sequestration of the estate of a debtor and before his rehabilitation, the Master is of the opinion that the insolvent or the trustee of that estate or any other person is able to give any information which the Master considers desirable to obtain concerning the insolvent or concerning his estate or the administration of the estate or concerning any claim or demand made against the estate or the administration of the estate or concerning any claim or demand made against the estate he may by notice in writing deliver to such other person summon him to appear before the Master or before a magistrate or an officer in the public service mentioned in such notice at a place and on a date and hour stated in such notice and to furnish the Master or other officer before him he is summoned to appear with all the information within his knowledge concerning the insolvent or concerning the insolvent's estate or the administration of the estate.	The Master or magistrate or an officer in the public service
Constitution of the Republic of South Africa Act No 108 of 1996	Section 32	1(b) Everyone has the right to access to any information that is held by another person and that is required for the exercise or protection of any rights. The rights in terms of the constitution are limited in terms of sec 36.	Any member of the public
Companies Act No 71 of 2008	Section 56	(5) A company that knows or has reasonable cause to believe that any of its securities are held by one person for the beneficial interest of another, by notice in writing, may require either of those persons to: (a) Confirm or deny that fact; (b) Provide particulars of the extent of the beneficial interest held during the three years preceding the date of the notice; and (c) Disclose the identity of each person with a beneficial interest in the securities held by that person.	Company on whose behalf the registered shareholder holds securities

		<p>7(b) A company that falls within the meaning of “regulated company” as set out in section 117(1)(i) must:</p> <p>(b) Publish in its annual financial statements, if it is required to have such statements audited in terms of section 30(2), a list of the persons who hold beneficial interests equal to or in excess of 5 percent of the total number of securities of that class issued by the company, together with the extent of those beneficial interests.</p>	A person on whose behalf the registered shareholder holds securities
	Section 93	<p>(1)(a) The auditor of a company:</p> <p>(a) has the right of access at all times to the accounting records and all books and documents of the company, and is entitled to require from the directors or prescribed officers of the company any information and explanations necessary for the performance of the auditor’s duties;</p> <p>(b) in the case of the auditor of a holding company, has the right of access to all current and former financial statements of any subsidiary of that holding company and is entitled to require from the directors or officers of the holding company or subsidiary any information and explanations in connection with any such statements and in connection with the accounting records, books and documents of the subsidiary as necessary for the performance of the auditor’s duties; and</p> <p>(c) is entitled to:</p> <p>(i) Attend any general shareholders meeting;</p> <p>(ii) Receive all notices of and other communications relating to any general shareholders meeting; and</p> <p>(iii) Be heard at any general shareholders meeting contemplated in this paragraph on any part of the business of the meeting that concerns the auditor’s duties or functions.</p>	Auditor
	Section 28	<p>(1) A company must keep accurate and complete accounting records in one of the official languages of the Republic:</p> <p>(a) As necessary to enable the company to satisfy its obligations in terms of this Act or any other law with respect to the preparation of financial statements; and</p> <p>(b) Including any prescribed accounting records, which must be kept in the prescribed manner and form.</p>	CIPC Directors
	Section 26	<p>(1) A person who holds or has a beneficial interest in any securities issued by a profit company, or who is a member of a non-profit company, has a right to inspect and copy, without any charge</p>	A member or holder of securities

		<p>for any such inspection or upon payment of no more than the prescribed maximum charge for any such copy, the information contained in the following records of the company:</p> <p>(a) The company's Memorandum of Incorporation and any amendments to it, and any rules made by the company, as mentioned in section 24(3)(a);</p> <p>(b) The records in respect of the company's directors, as mentioned in section 24(3)(b);</p> <p>(c) The reports to annual meetings, and annual financial statements, as mentioned in section 24(3)(c)(i) and (ii);</p> <p>(d) The notices and minutes of annual meetings, and communications mentioned in section 24(3)(d) and (e), but the reference in section 24(3)(d) to shareholders meetings, and the reference in section 24(3)(e) to communications sent to holders of a company's securities, must be regarded in the case of a non-profit company as referring to a meeting of members, or communication to members, respectively; and</p> <p>(e) The securities register of a profit company, or the members register of a non-profit company that has members, as mentioned in section 24(4).</p> <p>(2) A person not contemplated in subsection (1) has a right to inspect or copy the securities register of a profit company, or the members register of a non-profit company that has members, or the register of directors of a company, upon payment of an amount not exceeding the prescribed maximum fee for any such inspection.</p>	
Unemployment Insurance Act 63 of 2001	Section 56	(1) Every employer must, as soon as it commences activities as an employer provide information regarding its employees to the commissioner.	Unemployment Insurance Commissioner
Value-Added Tax Act 89 of 1991	Sections 55 and 57A	<p>(a) The Act provides for taxation in respect of the supply of goods and services and the importation of goods and matters connected therewith.</p> <p>(b) Section 55 provides that every vendor shall keep such books of account or other records as may enable him to observe the requirements of the Act and enable the Commissioner to satisfy himself that the vendor has observed such requirements, and every vendor shall, in particular keep the following records and documents:</p> <p>(1) A record of all goods and services supplied by or to the vendor showing the goods and services, the rate of tax applicable to the supply and the suppliers or the agents, in sufficient detail to enable the goods and services, the rate of tax, the suppliers or the agents to be</p>	Commissioner for South African Revenue Service

		<p>readily identified by the Commissioner, and all invoices, tax invoices, credit notes, debit notes, bank statements, deposit slips, stock lists and paid cheques relating thereto: Provided that a vendor's records to not have to show the rate of tax where the vendor has been authorised by the Commissioner to calculate the tax payable by him in accordance with a method prescribed by regulation, as contemplated in section 16 (1);</p> <p>(2) A record of all importations of goods and documents relating thereto as contemplated in section 16 (2) (d);</p> <p>(3) The charts and codes of account, the accounting instruction manuals and the system and programme documentation which describe the accounting system used in each tax period in the supply of goods and services;</p> <p>(4) Any list required to be prepared in accordance with section 15 (9); and</p> <p>(5) Any documentary proof required to be obtained and retained in accordance with section 11 (3).</p> <p>(c) Section 57A provides that the Commissioner or any officer may require a vendor or any other person to furnish such information, documents or things as the Commissioner or such officer may require (to inspect, audit, examine or obtain).</p>	
<p>Skills Development Levies Act 9 of 1999</p>		<p>(a) The Act provides for the imposition of a skills development levy and for matters connected therewith.</p> <p>(b) The Act contemplates that an employer shall keep records and/or information to which the Act relates. In the case of any employer, these records and/or information would appear to be those relating to registration for payment of the levy imposed by the Act and the payment of the levy.</p> <p>(c) The Act would not appear to require companies to keep any specific records.</p>	<p>Inspectors</p>

Income Tax Act 58 of 1962	Sections 70, 71 and 73B	<p>(a) The Act consolidates the law relating to the taxation of incomes and donations and matters related thereto.</p> <p>(b) Section 70 provides that where, during any period of twelve months ending on the last day of February in any year, any interest has become due by any company upon or in respect of debentures, debentures stock, loans or advances, the company shall, within 30 days after the end of such period or within such further period as the Commissioner may allow, furnish the Commissioner with a return giving:</p> <p>(1) the full name and address; and</p> <p>(2) in the case of:</p> <p>(2.1) any natural person, his or her identification number: Provided that where he or she is not in possession of a South African identity document, any other form of identification; or</p> <p>(2.2) any person other than a natural person, the registration number,</p> <p>(2.3) of each person to whom such interest became due and the amount of such interest.</p> <p>(c) Section 71 provides that every bank carrying on business in the Republic or company dealing in or negotiating bearer warrants shall keep a record of all payments in respect of interest or dividends made to any person by means of bearer warrants, and shall in such manner and form and at such times as may be prescribed or as the Commissioner may require, furnish particulars of such payments.</p> <p>(d) Section 73B provides that a person shall retain all records required to determine the taxable capital gain or assessed capital loss of that person for a period of 5 years from the date on which the return for that year of assessment was received by the Commissioner.</p>	Commissioner for South African Revenue Service
	Section 26	The inspector furnished with the inspection authority in writing by the Director General of Trade and Industry may conduct an investigation to gather information that the Director General or Official may require to determine whether the provisions or first Act are being or have been complied with and may for that purpose at all reasonable times enter any place and order any person to produce to him any book or record or other document in the possession or under the control of such person.	
Consumer Protection Act 68 of 2008	Section 27 (3)(b) and Regulation 10	Information provided to a Consumer by an Intermediary; disclosure in writing of a conflict of interest by the Intermediary in relevance to goods or services to be provided; record of advice furnished to the consumer reflecting the basis on which the advice was given; and written instruction sent by Intermediary to the consumer is to be kept by the Intermediary for a period of three years.	Authorised Person

Electronic Communication and Transaction Act 25 of 2002	Section 51	Personal information and the purpose for which the data was collected must be kept by the person who electronically requests, collects, collates, processes or stores the information for as long as such information is used, and at least 1 year thereafter. A record of any third party to whom the information was disclosed must be kept for as long as the information is used and at least 1 year thereafter. All personal data which has become obsolete must be destroyed.	Authorised Person
National Credit Act 34 of 2005	Section 170 and Regulations 55(1)(b), 55(1)(c) and 56	<p>55 (1)(b) Records of registered activities to be retained by Credit Providers, in respect of each consumer:</p> <ul style="list-style-type: none"> - Application for credit declined; - Reasons for decline of application for credit; - Pre-agreement statement and quote; - Documentation in support of steps taken in terms of section 81(2) of the Act; - Record of payments made; and - Documentation in support of any steps taken after default by consumer for 3 years from the earliest of the dates on which the registrant created signed or received the document. <p>55 (1)(c) Records of registered activities to be retained by Credit Providers, in respect of operations:</p> <ul style="list-style-type: none"> - Record of income, expenses and cash flow; - Credit transaction flows; and - Management accounts and financial statements for 3 years from the earliest of the dates on which the registrant created signed or received the document. <p>56 Records to be kept in terms of section 170 of the Act in respect of each consumer:</p> <ul style="list-style-type: none"> - Records of all applications for credit, credit agreements and credit accounts for 3 years from the date of termination of the credit agreement; or, in the case of an application for credit that is refused or not granted for any reason, from the date of receipt of the application. 	Authorised Person

ACCESS TO INFORMATION REQUEST FORM (PAIA FORM C)

Requests can be submitted either via post, e-mail or fax and should be addressed to the Information Officer as indicated below:

Information Officer details:

Information Officer	Ms. CM Gerbrands
Street Address	37 West Street, Houghton Estate, Johannesburg, 2198
Postal Address	P O Box 7780, Johannesburg, 2000
Telephone no.	+27 (0)11 713 6600
Fax no.	+27(0)11 713 6650
Email address	InformationOfficer@businesspartners.co.za
Website	www.businesspartners.co.za

Particulars of natural person requesting access to the record:

Full Names and Surname	
Identity number	
Street Address	
Postal Address	
Telephone no.	
Fax no.	
Email address	
Capacity in which the request is made	

if made on behalf of another person (attach proof)	
---	--

- *The particulars of the person who requests access to the record must be given.*
- *The address and/or fax number in the Republic to which the information is to be sent must be given.*
- *Proof of capacity in which the request is made, if applicable, must be attached.*

Particulars of person requesting access to the record for a legal entity or trust:

Name of legal entity or trust	
Registration number	
Street Address	
Postal Address	
Telephone no.	
Fax no.	
Email address	
Capacity (attach proof)	

- *The particulars of the person who requests access to the record must be given.*
- *The address and/or fax number in the Republic to which the information is to be sent must be given.*
- *Proof of capacity in which the request is made, if applicable, must be attached.*

Particulars of person on whose behalf request is made:

This section must ONLY be completed 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 it is known to you, to enable the record to be requested.*
- *If the space provided is inadequate, please use a separate folio and attach it to this form.*
- *Please sign any additional folios.*

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 will be processed only after a request fee has been paid.*
- *You will be notified of the amount 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 for exemption.*

Reason for exemption of payment of fees:	
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FORM OF ACCESS TO RECORD

Form in which record is required. 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 under certain circumstances. In such a case you will be informed whether 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.*

If the record is in written or printed form

Copy of record

Inspection of record

If record consists of visual images

View the images

Copy of the images

Transcription of the images

If the record consists of recorded information that can be reproduced in sound

Listen to the soundtrack (audio)

Transcription of soundtrack

If the record is held on computer or in an electronic or machine-readable form (this includes photographs, slides, video recordings, computer generated images, sketches etc.)

Printed copy of record

Printed copy of information derived from the record

Copy in computer readable form

If you requested a copy or transcription of a record (above) do you wish the copy of transcription to be posted to you? Note that postage is payable.

Yes

No

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available. In which **language** would you prefer the record?

In the event of a disability

If you are prevented by a disability from reading, viewing or listening to the record, state your disability and indicate in the form in which the record is required:

Disability

Form in which record is required

_____	_____
_____	_____

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

1. Indicate the right to be exercised or protected:

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

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved or denied. If you wish to be informed 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..... on this day of20.....

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE

PRINT NAME:_____

YOU MUST		SEND WITH THIS APPLICATION	
1	Complete all necessary spaces	1	The request fee
2	Sign the access request form Sign	2	Any additional folios completed
3	Sign additional folios completed	3	Copy of Identity Document

FEES IN RESPECT OF PRIVATE BODIES - PAIA

Description		Rand
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1,10
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	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c)	For a copy in a computer-readable form on -	
(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50,00
4	The access fees payable by a requester referred to in regulation 11(3) are as follows:	
4.1(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c)	For a copy in a computer-readable form on -	

(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
(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.	
4.2	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.	
4.3	The actual postage is payable when a copy of a record must be posted to a requester.	

DATA SUBJECT OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION
 IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT,
 2013 (ACT NO. 4 OF 2013) (POPI)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	

Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at..... on this day of20.....

Signature Of Data Subject /
Designated Person

Print name: -----

DATA SUBJECT REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION
OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4
OF 2013) (POPIA)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

INFORMATION OFFICER DETAILS:	
Information Officer	Ms. CM Gerbrands
Street Address	37 West Street, Houghton Estate, Johannesburg, 2198
Postal Address	P O Box 7780, Johannesburg, 2000
Telephone no.	+27 (0)11 713 6600
Fax no.	+27(0)11 713 6650
Email address	InformationOfficer@businesspartners.co.za
Website	www.businesspartners.co.za

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	

C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at..... on this day of20.....

Signature Of Data Subject /
Designated Person

Print name: -----

