

PAIA AND POPIA MANUAL

Riskworx (Pty) Ltd (Version 1a)

This manual applies to Riskworx (Pty) Ltd
and its subsidiaries Registration number:
1999/018711/07
("Riskworx")

I CONTENTS

Document Control	2
Document History / Information	2
1. Introduction	3
1.1. Nature of Business	3
1.2. Information Officer	3
2. Human Rights Commission Guide to PAIA	3
3. Access to Records Held By The Company	3
3.1. Voluntary Disclosure Notice	4
3.2. Request Procedure	4
4. Rights to be exercised	5
5. Categories of records held by the company	5
5.1. Companies act records	5
5.2. Personnel documents and records	5
5.3. Financial Records	5
5.4. Tax Records	6
5.5. Business operations records	6
6. Remedies available if a request for information is refused	6
6.1. Internal remedies	6
6.2. External remedies	6
7. Applicable Legislation	6
8. Availability of the Manual	7
ANNEXURE 1: Prescribed Forms	8
For Access/Deletion of personal information	8

Prepared in accordance with Section 51 of the Promotion of Access Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013

JUNE 2021

Registered office address:

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Sandown, Gauteng, South Africa

Financial Engineering for a **Better World**.

Directors

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Riskworx (Pty) Ltd.

VAT Reg. No: 4200189647
Co. Reg. No: 1999/018711/07

I 1. INTRODUCTION

The Promotion of Access to Information Act, 2000 (the “Act”) provides third parties the right to approach private bodies to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body is obliged to release such information unless the Act expressly states that the records containing such information may not be released. This manual informs requestors of procedures and other requirements which a request must meet as prescribed by the Act and Riskworx.

1.1. Nature of Business

The company is a risk management consulting firm in the financial sector that provides fit-for-purpose solutions for its clients.

1.2. Information Officer

Information Officer:

Deputy Information Officer:

Physical Address: Office 2.4 - 2nd Floor, Workshop 17 Sandton,
138 West Street,
Sandown,
Gauteng,
South Africa

Telephone Number: +27 10 599-0322

Email address: info@riskworx.co.za

I 2. HUMAN RIGHTS COMMISSION GUIDE TO PAIA

Section 10 of the Promotion of Access to Information Act, 2000 stipulates that the South African Human Rights Commission must compile a guide on how to use PAIA. The guide contains information which may be reasonably required by a person who wishes to exercise any right contemplated in the Act. This guide is available from the South African Human Rights Commission.

Please direct any queries to:

The South African Human Rights Commission: PAIA Unit	Telephone: 011-877 3600
The Research and Documentation Department Private Bag 2700 Houghton 2041	Fax: 011-403 0668 Website: www.sahrc.org.za E-mail: PAIA@sahrc.org.za

I 3. ACCESS TO RECORDS HELD BY THE COMPANY

Request for access to personal information held by Riskworx is permitted only upon meeting access requirements as stipulated by Riskworx. According to the PAIA Act, two requesters are distinguished:

Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the

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provisions of the Act and applicable law, Riskworx will provide the requested information, or give access to any record about the requester's personal information. A prescribed fee for reproduction of the information requested will be charged by Riskworx.

Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the Riskworx is not obliged to grant access prior to the requester fulfilling the requirements for access in terms of the Act. A prescribed fee for reproduction of the information requested will be charged by Riskworx.

3.1. Voluntary Disclosure Notice

The Information Officer may, voluntarily or on a periodic basis create a list of information that is readily available without a formal request.

3.2. Request Procedure

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to personal information held by Riskworx. A requester must complete the prescribed form enclosed herewith in Annexure 1 and submit same as well as payment of a request fee and a deposit, if applicable to the Information Officer at the postal or physical address, fax number or email address stated herein.

The prescribed form must be filled in with enough particularity as stated below, (including but not limited to) to enable the Information Officer to identify:

- The record or records requested;
- The identity of the requester;
- What form of access is required; and
- The postal address and/or email address of the requester.

Riskworx will process a request within a period of 30 business days, unless the requestor has stated particular reasons which would satisfy the Information Officer that circumstances dictate that this period not be complied with. The 30 day period within which the Company has to decide whether to grant or refuse a request, may be extended for a further period of not more than 30 business days if the request is for a large quantity of information, or the request requires a search for information archived or held at another office of Riskworx and the information cannot reasonably be obtained within the original 30 day period.

Riskworx will, within 30 business days of receipt of a request, decide whether to grant or decline a request and give written notice with reasons (if required) to that effect.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form due to illiteracy or disability, such a person may make the request orally to the Information Officer.

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4. RIGHTS TO BE EXERCISED

A requester must state that he or she requires the information to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must also provide an explanation of why the requested record is required for the exercise or protection of that right.

Section 32 of the Constitution of South Africa, Access to Information states that everyone has the right of access to any information held by the State, as well as any information that is held by another person, which is required for the exercise or protection of any rights as stipulated by the Bill of rights (subject to Section 36, Limitation of Rights).

According to the Protection of Personal Information Act 4 of 2013, a data subject has (including but not limited to) the following rights;

- to determine whether a responsible party holds personal information of that data subject and to request access to his, her or its personal information;
- to request, where necessary, the correction, destruction or deletion of his, her or its personal information;
- to object, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information);
- to submit a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator and
- to institute civil proceedings regarding the alleged interference with the protection of his, her or its personal information.

5. CATEGORIES OF RECORDS HELD BY THE COMPANY

These are the categories of records held by Riskworx (including but not limited to);

5.1. Companies act records

- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors / auditors
- Shareholder Register

5.2. Personnel documents and records

- Employment contracts
- Employment Equity Plan / BEE
- Disciplinary documentation
- Disciplinary procedure and process
- Salary documentation
- Leave documentation
- Training Manuals

5.3. Financial Records

- Accounting Records
- Asset Register
- Bank Statements
- Electronic banking record
- Invoices

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- Rental Agreements
- Tax Returns

5.4. Tax Records

- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT
- PAYE Records
- Skills Development Levies
- UIF

5.5. Business operations records

- Client Proposals
- Onboarding Documentation
- Client Contracts
- Client leads

6. REMEDIES AVAILABLE IF A REQUEST FOR INFORMATION IS REFUSED

6.1. Internal remedies

Riskworx internal procedures and remedies does not have internal appeal procedures. As such, the decision made by the Information Officer pertaining to a request is final, and requestors will have to exercise such external remedies at their disposal if a request is refused, and the requestor is not satisfied with the response provided by the information officer.

6.2. External remedies

In the event that a requestor is unsatisfied with the Information Officer's refusal to disclose information, he/she may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party (other requestor) unsatisfied with the Information Officer's decision to grant a request for information, he/she may within 30 days of notification of the decision, apply to a court for relief.

7. APPLICABLE LEGISLATION

Information of Riskworx and other legal entities in which the Riskworx has a direct controlling interest or an indirect controlling interest through its other location offices may be kept by or on behalf of the Riskworx in accordance with the following (including but not limited to) legislation, as well as with other legislation that may apply to the Riskworx and/or its location offices from time to time:

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Copyright Act 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Services Board Act 97 of 1990
- Income Tax Act 58 of 1962
- Inspection of Financial Institutions Act 80 of 1998

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- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Promotion of Access to Information Act 2 of 2000
- Protected Disclosures Act 26 of 2000
- Skills Development Act 97 of 1998
- Skills Development Levy Act 9 of 1999
- Securities Transfer Tax Act 25 of 2007
- Securities Transfer Tax Administration Act 26 of 2007
- Unemployment Insurance Act 30 of 1966
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

8. AVAILABILITY OF THE MANUAL

This manual is available for inspection (at no fee), on reasonable prior notice and during office hours, at the office of the company;

Office 2.4 - 2nd Floor, Workshop 17 Sandton
138 West Street
Sandown
Gauteng
South Africa

The Riskworx company Wiki (on Confluence)
And on the website www.riskworx.com.

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ANNEXURE 1: PRESCRIBED FORMS

For Access/Deletion of personal information

A	DETAILS OF THE DATA SUBJECT
Name(s) and Surname/ Registered Name of Data Subject:	
Identity Number:	
Residential, Postal or Business Address:	
Contact Number(s):	
Fax Number/Email Address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and Surname/ Registered Name of Data Subject:	
Identity Number:	
Residential, Postal or Business Address:	
Contact Number(s):	
Fax Number/Email Address:	
C	INFORMATION TO BE ASSESSED/CORRECTED/DELETED
D	REASONS FOR ACCESS/CORRECTION OR DELETION OF THE PERSONAL INFORMATION (Kindly provide detailed reasons)

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