

**PAIA MANUAL**

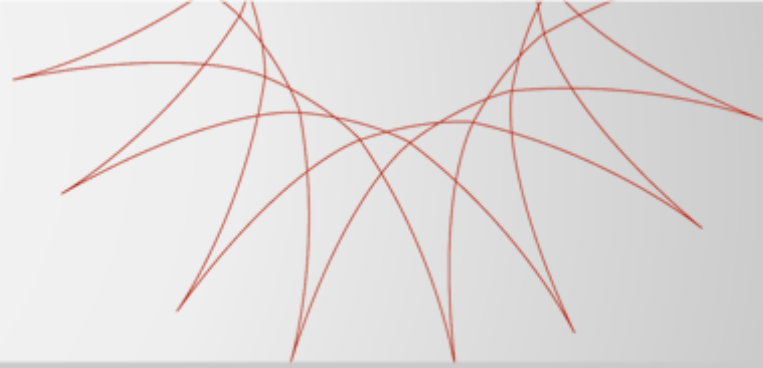
**of**

**VUNANI FUND MANAGERS**

**[Registration Number: 1999/015894/07]**  
**(the “Company”)**

THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 AND WAS LAST UPDATED IN DECEMBER 2011.

**Registered office address**  
6<sup>th</sup> Floor, Letterstedt House  
Newlands-on-Main  
Newlands, 7700



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## 1. Introduction

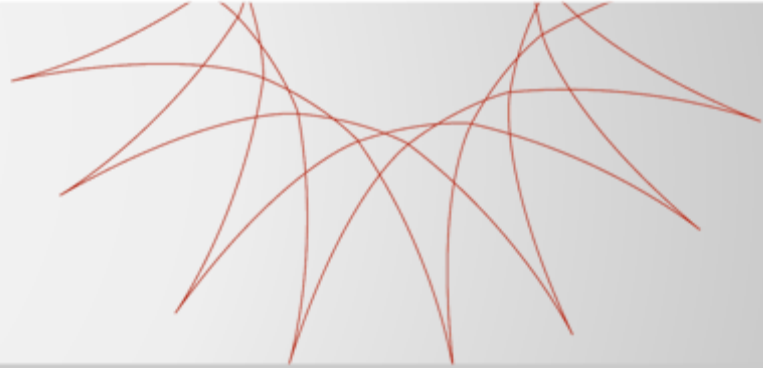
The promotion of Access to Information Act, 2000 (the “Act”) gives third parties the right to approach private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the private body or government is obliged to release such information unless the Act expressly states that the records containing such information may or must not be released. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act. In compiling this manual, reference has been made to the guidelines for private bodies, provided by the South African Human Rights Commission.

## 2. Nature of Business

The Company is an authorised Financial Services Provider in terms of the Financial Advisory and Intermediary Services Act, 37 of 2002

## 3. Contact Details

<b>Name of body</b>	:	Vunani Fund Managers (Pty) Ltd
<b>Head of body</b>	:	Romeo Makhubela (Chief Executive Officer)
<b>Information Officer</b>	:	Kirsten Elvin-Jensen
<b>Physical Address</b>	:	6 <sup>th</sup> Floor, Letterstedt House Newlands-on-Main Newlands 7700
<b>Postal Address</b>	:	PO Box 44586 Claremont 7735
<b>Telephone Number</b>	:	+27 21 670 4900
<b>Facsimile Number</b>	:	+27 21 683 5788
<b>Email address</b>	:	<a href="mailto:info@vunanifm.co.za">info@vunanifm.co.za</a>
<b>Website</b>	:	<a href="http://www.vunanifm.co.za">www.vunanifm.co.za</a>



#### **4. Guide of the South African Human Rights Commission**

A guide to the Act (as contemplated under section 10 of the Act) is available from the South African Human Rights Commission. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. Any enquiries regarding this guide and its contents should be directed to:

The South African Human Rights Commission:  
PAIA Unit (the Research and Documentation Department)

Postal address : Private Bag 2700, Houghton, 2041  
Telephone : +27 11 484-8300  
Fax : +27 11 484-7146  
Website : [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail : [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### **5. Access to Records held by Vunani Fund Managers**

Records held by the Company may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the Company and in this regard, the Act distinguishes between two types of requesters:

##### **Personal Requester**

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the Company will provide the requested information, or give access to any record with regard to the requester's personal information.

##### **Other Requester**

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

#### **6. Request Procedure**

A requester must comply with all the procedural requirements contained in the Act relating to a request for access to a record.

A requester must complete the prescribed form enclosed herewith in Appendix 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 electronic mail address stated herein.



The prescribed form must be filled in with enough particularity to at least 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 or fax number of the requester.

A requester must state that he or she requires the information in order 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.

The Company will process a request within 30 days, unless the requestor has stated special reasons which would satisfy the information officer that circumstances dictate that the this time period not be complied with.

The requester shall be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.

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 because of illiteracy or disability, such a person may make the request orally to the information officer.

## **7. Decision**

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

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 days if the request is for a large quantity of information, or the request requires a search for information held at another office of the Company (other than the head office) and the information cannot reasonably be obtained within the original 30 day period. The information officer will notify the requester in writing should an extension be necessary.

## **8. Fees**

The Act provides for two types of fees:

- a request fee, and
- an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs where applicable.



When a request is received by the information officer of the Company, the information officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

The information officer shall withhold a record until the requester has paid the fee or fees as indicated.

A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer shall repay the deposit to the requester.

## **9. Categories of Records held by the Company in terms of section 51 (1)(E) of the Act**

This section of the manual sets out the subject and categories of records held by the Company. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. More specifically, certain grounds of refusal as stipulated in the Act may be applicable to a request for such records.

### **Company Secretarial**

- Documents of incorporation;
- Memorandum and Articles of Association;
- Minutes of Board of Directors meetings;
- Records relating to the appointment of directors/ auditor / secretary public officer and other officers;
- Share Register;
- Other Statutory records and registers;

### **Finance**

- Financial reports, statements and other accounting records;
- Tax Rerecords;
- Banking details and statements;
- Electronic banking records;
- Asset Register;
- Invoices;
- Insurance records
- Audit reports and documentation



### **Tax Records**

- PAYE Records;
- Documents issued to employees for income tax purposes;
- Records of payments made to SARS on behalf of employees;
- All other statutory compliances:
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

### **Human Resources:**

- Employment contracts / Letter of appointment;
- Employment Equity Plan;
- Copies of staff qualifications, curriculum vitae, identity documents;
- Disciplinary codes, policies, procedures and records;
- HR policies and procedures;
- Salary records;
- Leave records;
- Training records;
- Training Manuals;
- Internal policy and procedure records;

### **Product Information**

- Fund Fact Sheets
- Monthly and Quarterly commentary

### **Other Party Records**

- Records held by the Company pertaining to other parties (i.e. clients), including but not limited to correspondence, contractual and transactional records and FICA documentation.

### **Legal and Compliance**

- All applicable contracts, service level agreements and mandates;
- FICA documentation;
- Records in terms of FAIS and FICA legislation;
- Records in terms of JSE rules;
- Records in terms of other applicable legislation;

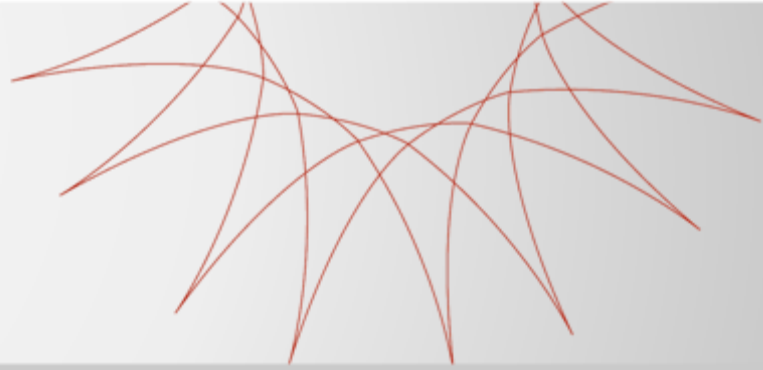
### **Mandatory grounds for refusal include but are not limited to:**

- Information for the protection of the privacy of individuals;
- Information for the protection of commercial information and confidential information of third parties;
- Commercial and research information of the company.

## **10. Remedies available if the Company refuses a Request for Information**

### **Internal Remedies**

The Company 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.

#### **External Remedies**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief. Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a court for relief. For purposes of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

### **11. List of Applicable Legislation**

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Collective Investment Schemes Control Act 45 of 2002
- Companies Act 61 of 1973
- 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 Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Services Board Act 97 of 1990
- Income Tax Act 58 of 1962
- Insider Trading Act 135 of 1998
- Labour Relations Act 66 of 1995
- Long-term Insurance Act 52 of 1998
- Occupational Health and Safety Act 85 of 1993
- Regulation of Interception of Communications and Provision of Communication-Related Pension Funds Act 24 of 1996
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Promotion of Access to Information Act 2 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Securities Services Act 36 of 2004
- Securities Transfer Tax Act 25 of 2007
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

Reference to the above-mentioned legislation shall include subsequent amendments to such legislation and all relevant sections within such legislation of which the company holds records.



**12. Availability of the Manual**

The manual is available for inspection, on reasonable prior notice, at the office of the company free of charge. Copies of the manual of the Company are also available from the SAHRC and the Company's website: [www.vunanifm.co.za](http://www.vunanifm.co.za)

**13. Approval**

Signed on behalf of the Company on this 28<sup>th</sup> day of December 2011

A handwritten signature in black ink, appearing to read 'Guy Fletcher'. The signature is written in a cursive, flowing style and is positioned above a horizontal line that serves as a baseline for the signature.

**Guy Fletcher**  
**Director**