



ACCESS TO INFORMATION MANUAL

INFUSSION FINANCIAL SERVICES, PRETORIA

***PROMOTION OF ACCESS TO INFORMATION ACT (“PAIA”)
AND
PROTECTION OF PERSONAL INFORMATION ACT (“POPIA”)***

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, Number 2 of 2000 (the “Act”). The Act gives effect to the provisions of Section 32 of the Constitution, and provides for the right of access to information held by another person or entity, where such information is required by someone to exercise or protect his/her right. Prepared in accordance with the processing of personal information in terms of the Protection of Personal information Act 4 of 2013.

1. INTRODUCTION

The Public Access to Information Act (PAIA) gives a requester the right to lodge a request for information with the information officer (head) of a private body. iNFUSSION and its subsidiaries constitute private bodies. Furthermore, the Protection of Personal Information Act (POPIA) places certain obligations on the company on how and when to process, store and protect personal information.

1.1 Information Officer

The Information Officer for iNFUSSION is the Director. The Director has appointed a Deputy Information Officer to facilitate requests to access records held by iNFUSSION.

1.2 Contact Details

Information Officer

Marsha Lourens

Director

marshal@infussionfinancial.co.za

Deputy Information Officer

Leroux Delport

lerouxdel@infussionfinancial.co.za

Contact Number: 012 424 0160

Postal Address: Postnet Suite 379, Private Bag X4, Menlo Park, 0102.

Street Address: Silver Lakes Office Park1, Block 3, Von Backstrom Boulevard, Silver Lakes, Pretoria.

Website: www.infussionfinancial.com

2. OVERVIEW OF iNFUSSION

2.1 iNFUSSION

iNFUSSION was established in 2007 and is an accredited CAT 1 & 4 FSP which acts as Underwriting Managing Agent for three Insurers in terms of Insurance products. iNFUSSION is also a registered credit provider with the NCR.

3. BACKGROUND TO THE PROMOTION OF ACCESS TO AND THE PROTECTION OF INFORMATION ACTS

The Promotion of Access to Information Act, No. 2 of 2000 (the "Act") was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the "Constitution") of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly provides that the information may or must not be released. The Act sets out the relevant procedure to be adopted when requesting information from a public or a private body.

POPIA was assented to on 26 November 2013. The purpose of POPIA is to give effect to section 14 of the Constitution, being the constitutional right to privacy by protecting Personal Information and regulating the free flow and Processing of Personal Information. POPIA sets minimum conditions which all Responsible Parties must comply with so as to ensure that Personal Information is respected and protected.

In terms of section 51 of the Public Access to Information Act, all Private Bodies are required to compile an Information Manual ("PAIA Manual"). This Manual will be updated from time to time, as and when required.

4. DEFINITIONS

The following words shall bear the same meaning in PAIA and POPIA as follows:

- 4.1 **“Consent”** means a voluntary, specific and informed expression of will in terms of which a Data Subject agrees to the processing of Personal Information relating to him or her.
- 4.2 **“Data Subject”** or “DS” means the person to whom personal information relates
- 4.3 **“Minister”** means the Minister of Justice and Constitutional Development
- 4.4 **“Operator”** means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;
- 4.5 **“Owner”** means, in respect of information, the person nominated as custodian of such information in terms of this policy, being the director;
- 4.6 **“Personal information”** or “PI” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person including
 - 4.6.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well- being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 4.6.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 4.6.3 any identifying number, symbol, e-mail address, physical address, telephone number or other particular assignment to the person;
 - 4.6.4 the blood type or any other biometric information of the person;
 - 4.6.5 the personal opinions, views or preferences of the person;
 - 4.6.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 4.6.7 the views or opinions of another individual about the person; and
 - 4.6.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person
- 4.7 **“Private body”** means a natural person who carries or has carried on any trade, business or profession in that capacity, a partnership or juristic person
- 4.8 **“Processing”** means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:
 - 4.8.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 4.8.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 4.8.3 merging, linking, as well as blocking, degradation, erasure or destruction of information;
- 4.9 **“Public body”** means any department or state or administration in the national, provincial or local sphere of government or functionary exercising public power
- 4.10 **“Responsible Party”** or “RP” means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing Personal Information.

5. PURPOSE FOR WHICH INFORMATION IS REQUIRED

- 5.1 The Act provides that a person may only request information in terms thereof if that information is required for the exercise or protection of a right.
- 5.2 Further, POPIA provides that a Data Subject may, upon proof of identity, request the Responsible party 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. POPIA further provides that where the Data Subject is required to pay a fee for services provided to him/her/it, the Responsible Party:
 - Must provide the Data Subject with a written estimate of the payable amount before providing the service
 - May require that the requestor pay a deposit for all or part of the fee

6. CATEGORIES OF REQUESTORS

- 6.1 The capacity under which a Requester requests documentation/ information will determine the category he or she falls in. Please note that the Requester category has a bearing on the conditions of access to the information.

6.2 Requesters have been classified into four categories:

- 6.2.1 A Personal Requester: requests information about himself/herself/itself.
- 6.2.2 A Representative Requester: requests information relating to and on behalf of someone else.
- 6.2.3 A Third Party Requester: requests information about another person.
- 6.2.4 A Public Body: requests information in the public interest.

7. HOW TO REQUEST ACCESS TO RECORDS HELD BY iNFUSSION

Request for access to records held by the company must be made on Request Form A, available from the company's websites or from the Compliance Division, Silver Lakes Office Park 1, Block 3, Von Backstrom Boulevard, Silver Lakes.

When a record is requested, the following will apply:

- 7.1 Access to Record of Private Body Request Form (attached to this manual).
 - 7.1.1 On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information.
 - 7.1.2 If the Requester is acting on behalf of someone else (e.g. an attorney acting on behalf of a client), the signature of the other person (i.e. the client) must appear on the form and the company shall have the right to verify that the person on whose behalf the request is being made, did indeed authorize such request.
 - 7.1.3 The Requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc.) s/he wants to access the information.
 - 7.1.4 If the record is part of another record, the Requester will only be granted access to that part of the record that pertains to the information s/he wants or is entitled to, and not the rest of the record.
- 7.2 Fees may be payable. These fees are prescribed by law, and can change from time to time. The fee list is available on Annexure B at the end of this document.
- 7.3 All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act.
- 7.4 The company is obliged under the Act to respond to the request for access to information held by it within 30 days of receipt of the request. The Act provides for other processes that can be followed by a Requester should his/her request under the Act be denied.
- 7.5 Proof of identity is required to authenticate the request and the Requester. In view hereof, a Requester will, in addition to Form A, be required to submit acceptable proof of identity such as a certified copy of their Identity Document or other legal form of identification.
- 7.6 Information will not be furnished unless a person clearly provides sufficient particulars to enable the institution to identify the right the Requester is seeking to protect as well as an explanation of why the requested information is required for the exercise or protection of that right.

8. VOLUNTARY DISCLOSURE

- 8.1 The following information is available to the public and does not require an application for access under the Act:
 - Any information contained in any publicly accessible websites operated by the company, kindly refer to the iNFUSSION Privacy Policy on the website as well as the end of this manual;
 - Any information published by the company in any books, magazines, brochures or other material form that has been made available to the public by the company;
- 8.2 The information referred to above may include, without limitation, the following:
 - The mission and objectives of the company and all its various arms;
 - The statutes, rules, regulations and policies of the company where applicable;
 - The organogram/structure of the company, including names and offices of office-bearers where applicable;
 - Programmes and courses offered by iNFUSSION.;
 - Admission requirements, application forms, fees and any other information necessary to facilitate public engagement with iNFUSSION in the promotion of its objectives;
- 8.3 The following personal information is available without recourse to the Act only if requested by the person that the information pertains to directly (i.e. the Requester is requesting access to his/her own personal information);
 - Academic records;
 - Records of merit awards or mentions;

- Records of disciplinary hearings and/or verdicts;
- Graded papers submitted by the Requester in the course of his/her academic pursuits at the company;
- Financial statements relating to the Requester's financial obligations to or rights against the company;

9. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

9.1 Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new procedures and scopes of access, this list should not be read as final and complete without recourse to amendments, if any, of the relevant legislation.

9.2 Business Legislation (including all regulations issued in terms of such legislation):

- The Companies Act 71 of 2008;
- Income Tax Act 58 of 1962;
- Value Add Tax Act 89 of 1991;
- Labour Relations Act 66 of 1995;
- Basic Conditions of Employment Act 75 of 1997;
- Employment Equity Act 55 of 1998;
- Skills Development Levies Act 9 of 1999;
- Unemployment Insurance Act 63 of 2001;
- Electronic Communications and Transactions Act 25 of 2002;
- Telecommunications Act 103 of 1996;
- Electronic Communications Act 36 of 2005;
- Consumer Protection Act 68 of 2008;
- Broad-based Black Economic Empowerment Act 53 of 2003;
- National Credit Act 34 of 2005;
- Protection of Personal Information Act 4 of 2013;
- Promotion of Access to Information Act 2 of 2000;
- Occupational Health and Safety Act No. 85 of 1993;

10. RECORDS HELD BY iNFUSSION

Below is a list of the categories of records held by the company.

PLEASE NOTE: The fact that a record type is listed here does not necessarily mean that the records therein will be disclosed. All access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

10.1 Administration of the company:

- Governance structures and personal data of governance office-bearers
- Internal rules, regulations and policies, minutes of meetings
- Financial records
- Contracts
- Partnerships, service providers, clients
- Employment equity data and BBBEE status
- Statutory and other licenses
- Marketing records.

10.2 Academic and research activities of iNFUSSION staff and students:

- Course and programme accreditations and changes
- Facilitation and Materials

10.3 iNFUSSION Students:

- Student personal data including, but not limited to academic records

- Academia related submissions
- Disciplinary records

10.4 Staff:

- Staff personal data including, but not limited to CV's, service history, performance reviews
- Job descriptions, pay scales
- Disciplinary hearings and verdicts

10.5 The company's commercial activities:

- Company-owned commercial companies
- Registered IP

10.6 Public benefit programmes:

- Youth and women empowerment
- BEE promotion.

10.7 Technical records.

- ICT infrastructure
- Physical infrastructure
- Construction blueprints

10.8 Real property leased or owned by the company wholly or partly:

- Property deeds, Leases and uses
- Third party rights

10.9 Third party information other than the above.

- Funders, donors, collaborators
- Clients and Suppliers

11. Compliance by private bodies with POPIA

POPIA sets minimum conditions which all Responsible Parties must comply with so as to ensure that Personal Information is respected and protected. These minimum conditions are the Conditions for Lawful Processing

11.1 Conditions for Lawful Processing

Chapter 3 of POPI provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPI. Below is a description of the eight Conditions for Lawful Processing as contained in POPI:

1. Accountability - the Responsible Party has an obligation to ensure that there is compliance with POPI in respect of the Processing of Personal Information.
2. Processing limitation - Personal Information must be collected directly from a Data Subject to the extent applicable; must only be processed with the consent of the Data Subject and must only be used for the purposes for which it was obtained.
3. Purpose specification - Personal Information must only be processed for the specific purpose for which it was obtained and must not be retained for any longer than it is needed to achieve such purpose.
4. Further processing limitation - further processing of Personal Information must be compatible with the initial purpose for which the information was collected.

5. Information quality - the Responsible Party must ensure that Personal Information held is accurate and updated regularly and that the integrity of the information is maintained by appropriate security measures.
6. Openness - there must be transparency between the Data Subject and the Responsible Party.
7. Security safeguards - a Responsible Party must take reasonable steps to ensure that adequate safeguards are in place to ensure that Personal Information is being processed responsibly and is not unlawfully accessed.
8. Data Subject participation - the Data Subject must be made aware that their information is being processed and must have provided their informed consent to such processing.

11.2 Processing of Personal information

Personal Information may only be processed for a specific purpose.

The company shall under no circumstances use any personally identifiable information as obtained through its recruitment, administrative or related process, for any other purpose but its disclosed intended purpose.

The company shall duly endeavor to adhere to all the current in-effect policies related to remarketing or any other form of advertising in all of its marketing campaigns. (In instances of possible non-conformity to such, the Company shall endeavor to rectify such in a prompt manner).

11.3 Categories of Data Subjects and Personal Information/special Personal Information relating thereto.

As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person.

11.3.1 Purpose of Processing a Data Subject's information

The Group uses the Personal Information under its care in the following ways:

- Administration of iNFUSSION students, clients, service providers and staff,
- Rendering service according to instructions given by clients
- Keeping of accounts and records
- Complying with tax and other laws

11.3.2 The Company may possess records relating to suppliers, shareholders, contractors service providers, staff and clients.

11.3.3 A document records and disposal policy is in place.

Data Subject	Type of information	Purpose
Clients	Name, ID, contact detail, Postal Address, Corporate Telephone Number, Personal Cellular, E-Mail Address, tax and company data, confidential correspondence.	Contract data captured on system Contract securely locked in steel cabinet. Access by authorized persons only
Students	Name, ID, contact detail, Home/ Postal Address, Home Telephone Number, Personal Cellular, Mobile Personal E-Mail Address, tax related information, gender, age, nationality, academic results	Contract data captured on system Contract securely locked in steel cabinet. Access by authorized persons only
Contracted service providers and suppliers	Name, ID, contact detail, (corporate address and telephone number, financial, tax, company related documents, confidential correspondence.	Procurement records kept securely.
Employees	Gender, race, marital status, language, education information, tax and financial	Secured Personnel files.

	information, ID, physical and postal address, criminal behavior, health/ wellbeing	
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11.4 Categories of Recipients for Processing the personal information:

- Capturing and organizing of data
- Storing of data
- Sending of emails and other correspondence to clients/ students
- Conducting due diligence tests
- General administration.

11.5 Cross-border flows of Personal Information

Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa under certain conditions. iNFUSSION does not transmit information Cross Border. Should this status change, iNFUSSION must adhere to the EU protection of information requirements.

12. Information Security Measures

iNFUSSION undertakes to institute and maintain the data protection measures to ensure confidentiality, integrity and availability of personal information under its care. Measures include but are not limited to Firewalls, virus protection software and updates, logistical and physical access control, secure setup of IT infrastructure.

1. Access Control of Persons

iNFUSSION shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data are processed.

2. Data Media Control

iNFUSSION shall implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by the Group and containing personal data of students as in the case of iCollege.

3. Data Memory Control

iNFUSSION shall implement suitable measures to prevent unauthorized input into data memory and the unauthorized reading, alteration or deletion of stored data.

4. User Control

iNFUSSION shall implement suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

5. Access Control to Data

iNFUSSION represents that the persons entitled to use iNFUSSIONs' data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorization).

6. Organization Control

iNFUSSION shall maintain its internal organization in a manner that meets the requirements of this Manual.

13. Objection to the Processing of Personal Information by a Data Subject

Section 11 (3) of POPI and regulation 2 of the POPI Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed manner as set out in the Act.

14. Request for correction or deletion of Personal Information

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form.

THIS MANUAL IS APPROVED BY:



Derek Leroux
Key Individual & Director
11 JUNE 2021



Leroux Delport
Key Individual and Managing Director
11 JUNE 2021



ACCESS TO RECORD OF PRIVATE BODY REQUEST FORM

(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (Regulation 10)

PARTICULARS OF PERSON REQUESTING ACCESS TO A RECORD	
<ul style="list-style-type: none"> • The particulars of the person who requests access to the record must be given below. • The address and/or fax number in the Republic to which the information is to be sent must be given. • Proof of the capacity in which the request is made, if applicable, must be attached. 	
Full Names and Surname:	
Identity Number:	
Postal Address:	
Postal Code:	
Fax Number:	
Telephone Number:	
Cellphone Number:	
Email Address:	
Capacity in which request is made, when made on behalf of another person (i.e. parent, guardian, attorney):	
PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE	
Full Names and Surname:	
Identity Number:	
Postal Address:	
Postal Code:	
Fax Number:	
Telephone Number:	
Cellphone Number:	
Email Address:	
PARTICULARS ON RECORD	
1. Description of record or relevant part of the record:	
2. Reference number, if available/applicable:	
3. Any further particulars of record:	

FEES:		
Fees are calculated based on actual cost of finding and providing the information.		
<ul style="list-style-type: none"> • 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 for the payment of any fee, please state the reason for exemption. Reason for exemption from payment of fees: 		
FORM OF ACCESS TO RECORD IF YOU ARE PREVENTED BY A DISABILITY		
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 5 below, state your disability and indicate in which form the record is required. Mark the appropriate box with an X		
STATE DISABILITY:		
1. If the record is in written or printed form:		
• Copy of Record	<input type="checkbox"/>	<input type="checkbox"/>
• Inspection of Record	<input type="checkbox"/>	<input type="checkbox"/>
2. If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, ect):		
• View the copy of the images	<input type="checkbox"/>	<input type="checkbox"/>
• Transcription of the images	<input type="checkbox"/>	<input type="checkbox"/>
3. If the record consists of recorded words or information which can be reproduced in sound:		
• Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	<input type="checkbox"/>
• Transcription of the soundtrack (written or printed document)	<input type="checkbox"/>	<input type="checkbox"/>
4. If record is held on computer or in electronic or machine-readable form:		
• Printed copy of record	<input type="checkbox"/>	<input type="checkbox"/>
• Printed copy of information derived from the record	<input type="checkbox"/>	<input type="checkbox"/>
• Copy in computer readable form	<input type="checkbox"/>	<input type="checkbox"/>
If you request a copy or transcription of the record (above), do you wish the copy or transcription to be posted to you? (Please Note: Postage is payable)		
		Please circle: YES/NO
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED		
1. Indicated which right is 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 FOR ACCESS		
You will be notified in writing whether your request has been approved / 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.		

APPLICANT SIGNATURE: _____

Signed at _____ this day _____ of _____ year _____

REQUEST FEES

Section 54 of the Act entitles a Public Body to levy a prescribed request fee to a Requester before further processing the request. The fees that may be charged have been published by the Minister of Justice and Constitutional Development and are displayed below.

According to POPIA a RP is entitled to levy a prescribed fee for the provision of PI about the DS in its possession.

1. ACCESS FEES FOR REPRODUCTION		
1.1	For every photocopy of an A4-size page or part thereof	R1.10
1.2	For every photocopy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
1.3	For a copy in a computer-readable form on memory stick	R7.50
1.4	For a copy in a computer-readable form on compact disc	R70.00
1.5	For a transcription of visual images for an A4-size page or part thereof	R40.00
1.6	For a copy of visual images	R60.00
1.7	For a transcription of an audio record for an A4-size page or part thereof	R20.00
1.8	For a copy of an audio record	R30.00
2. ACCESS FEE FOR TIME SPENT		
2.1	The time reasonably required to search for the record for disclosure and preparation	R30.00/hr or part thereof
3. REQUEST FEE		
3.1	For a request for access to a record by a person other than a personal Requestor	R50.00
4. DEPOSIT		
4.1	One third of the access fee is payable as a deposit by the Requester	4.1
5. POSTAL FEE		
5.1	When a copy of a record must be posted to the Requestor	R9.75
6. APPEAL FEES		
6.1	For lodging an internal appeal against the refusal of a request for access to a record	R50.00