

**PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (“PAIA”) MANUAL**

**FOR**

**THE STANDARD GENERAL INSURANCE COMPANY LIMITED (“STANGEN”)**

## Contents

1.	OVERVIEW .....	3
1.1	REVISION HISTORY .....	3
1.2	OPERATIONAL APPROVALS .....	3
1.3	GOVERNANCE APPROVALS .....	3
2.	INTRODUCTION AND PURPOSE OF THE MANUAL .....	3
3.	DETAILS OF INSTITUTION .....	4
4.	CONTACT DETAILS OF THE Duly authorised persons: .....	4
5.	DOCUMENTS IN STANGEN POSSESSION MAY INCLUDE .....	5
6.	PROCESSING OF PERSONAL INFORMATION .....	6
6.1	The purposes for which Stangen processes personal information .....	6
6.2	Categories of data subjects and personal information processed by Stangen .....	7
6.3	Recipients or categories of recipients with whom personal information is shared .....	7
6.4	Information security measures to protect personal information .....	8
6.5	Trans-border flows of personal information .....	8
6.6	Personal information received from third parties .....	8
7.	REQUEST PROCEDURE .....	8
8.	REMEDIES AVAILABLE WHEN ACCESS TO INFORMATION IS REFUSED .....	10
9.	AVAILABILITY OF THIS MANUAL .....	10

## 1. OVERVIEW

### 1.1 REVISION HISTORY

Version	Author	Date	Revision
1	Jothi Devraj (Executive: Risk & Compliance)	December 2017	Initial policy drafting
2	Alisha Pala (Compliance Officer)	January 2021	Review
3	Alisha Pala (Compliance Officer)	March 2021	Revision - Incorporating the Protection of Personal Information Act
4	Christiene Pretorius (Head of Compliance)	May 2021	Review

### 1.2 OPERATIONAL APPROVALS

The document has obtained the following approvals:

Version	Name	Nature	Approval signature	Date of Approval
2	William Harris	Chief Operating Officer		2021/05/24
2	Makhosazana Bambisa	Head of Finance		2021/05/31

### 1.3 GOVERNANCE APPROVALS

The document has obtained the following approvals:

Version	Name	Nature	Approval signature	Date of Approval
2	Christiene Pretorius	Head of Compliance		2021/06/08

## 2. INTRODUCTION AND PURPOSE OF THE MANUAL

The purpose of the Promotion of Access to Information Act ("PAIA") is to give effect to the constitutional right of access to any information held by the state, as well as information held by another person that is required for the exercise or protection of any right.

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual ("PAIA Manual").

The motivation for giving effect of the right to access to information is to foster a culture of transparency and accountability both in public and private bodies and to promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA.

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

## PAIA Act & POPI Act

### The Office of the Information Regulator:

#### Physical Address:

The Information Regulator (South Africa)  
JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001]

#### Postal Address:

P.O Box 31533  
Braamfontein,  
2017

Tel No: +27 (0) 10 023 5200

E-mail: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

### 3. DETAILS OF INSTITUTION

#### The Standard General Insurance Company Limited ("Stangen")

**Postal address** : P.O. Box 284  
Menlyn  
0063

**Physical address** : Menlyn Corporate Park Block A  
175 Corobay Avenue  
Waterkloof Glen Ext. 11  
Pretoria  
0081

**Head of Compliance** : Christiene Pretorius

**Contact details:**

Tel No: : 084 847 3937  
E-mail: : [christiene.pretorius@stangen.co.za](mailto:christiene.pretorius@stangen.co.za)

### 4. CONTACT DETAILS OF THE DULY AUTHORISED PERSONS

<b>Information Officer</b>	Name	Christiene Pretorius
	Tel No:	084 847 3937
	E-mail:	<a href="mailto:christiene.pretorius@stangen.co.za">christiene.pretorius@stangen.co.za</a>
<b>Deputy Information Officer</b>	Name	William Harris
	Tel No:	082 979 4100
	E-mail:	<a href="mailto:wharris@stangen.co.za">wharris@stangen.co.za</a>
<b>Head of the Organisation in terms of Section 51(1)(a)</b>	Designation	Chief Executive Officer
	Name	Rhett Finch
	E-mail:	<a href="mailto:Rhett@kingprice.co.za">Rhett@kingprice.co.za</a>
	Registered address:	Menlyn Corporate Park

Block A  
175 Corobay Avenue  
Waterkloof Glen Ext. 11  
0081

Postal address: P.O. Box 284  
Menlyn  
0063

Website: [www.stangenlife.co.za](http://www.stangenlife.co.za)

The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible to, inter alia assess request for access to information.

The Head of a private body fulfils such a function in terms of section 51. Stangen has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 65 of the Protection of Personal Information Act 4 of 2013.

This is in order to render Stangen as accessible as reasonable possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013.

## 5. DOCUMENTS IN STANGEN'S POSSESSION MAY INCLUDE

These documents and records are kept in accordance with various legislation that is applicable to Stangen and may be requested in the prescribed format.

Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Stangen will consider access.

Administration	Human Resources	Operations
<ul style="list-style-type: none"><li>• Trading licences</li><li>• Documents of Incorporation</li><li>• Memorandum and Articles of Association</li><li>• Minutes of Board of Directors meetings</li><li>• Records relating to the appointment of directors / auditor/ company secretary / public officer / etc.</li><li>• Share Register and other statutory registers</li></ul>	<ul style="list-style-type: none"><li>• Employment contracts</li><li>• Policies and Procedures</li><li>• Training Manuals and Records</li><li>• Trading Mandates</li><li>• Medical Aid and Pension/Provident Fund Records</li><li>• Salary Records</li><li>• Disciplinary Code and Records</li><li>• Leave Records</li></ul>	<ul style="list-style-type: none"><li>• Compliance Reports</li><li>• Complaints Procedures and Registers</li><li>• Register of Key individuals</li><li>• Register of Representatives</li><li>• Register of Clients</li><li>• Conflict of Interest Management Policy</li><li>• Legal Agreements and Records</li><li>• Internal and External Correspondence</li></ul>

Finance	Customer Related Records
<ul style="list-style-type: none"> <li>• Accounting and Audit Records</li> <li>• Financial Statements</li> <li>• Assets Inventory</li> <li>• Tax Returns and Assessments</li> <li>• Accounting Officer's Report</li> <li>• IRP5 Certificates</li> <li>• Income Tax Records: <ul style="list-style-type: none"> <li>➢ PAYE and EMP 201 Records</li> <li>➢ Regional Service Levies</li> <li>➢ Skills Development Levies</li> <li>➢ UIF</li> </ul> </li> <li>• Workman's Compensation</li> </ul>	<ul style="list-style-type: none"> <li>• Records provided by a customer to a third-party acting for or on behalf of Stangen in the financial services industry</li> <li>• Records provided by a third-party Records generated by or within Stangen in the financial services industry relating to its customers, including transactional records</li> </ul>

## 6. PROCESSING OF PERSONAL INFORMATION

Pursuant to promoting responsible information processing practices within the organisation, as well as in the capacity as responsible party contemplated in terms of the provisions of the POPI Act, Stangen takes any activities relating to the protection and processing of personal information (as defined in terms of the provisions of section 1 of the POPI Act) very seriously. To promote the constitutional right to privacy, as well as to play its part in promoting the rights protected in terms of the POPI Act, Stangen undertakes to, in so far as is required of it, observe the requirements and conditions for the lawful processing of personal information.

### 6.1 THE PURPOSES FOR WHICH STANGEN PROCESSES PERSONAL INFORMATION

Stangen may process personal information for a variety of purposes, which may include, but is not limited to, the following purposes:

- To provide or manage any information, products and/or services requested by Data Subjects;
- To establish a Data Subject's needs, wants and preferences in relation to the products and/or services provided by Stangen;
- To identify a Data Subject's risk profile and make an election as to whether Stangen wishes to enter into a contractual relationship with the Data Subject and if so, on what terms;
- To help Stangen identify Data Subjects when they contact Stangen;
- To facilitate the delivery of products and/or services to Clients;
- To administer claims and Client premiums;
- To activate policies;
- To allocate to Clients unique identifiers for the purpose of securely storing, retaining and recalling such member's Personal Information/Personal Data from time to time;
- To maintain records of Data Subjects and specifically Client records;
- To maintain Third Party records;
- For recruitment purposes;
- For employment purposes;
- For apprenticeship purposes;
- For general administration purposes;
- For legal and/or contractual purposes;
- For health and safety purposes;
- To retain the records of brokers;
- To monitor access, secure and manage any facilities owned or operated by Stangen regardless of location in South Africa;
- To transact with Third Parties;
- To improve the quality of Stangen' products and services;
- To detect and prevent money laundering and terrorist financing;
- To analyse the Personal Information/Personal Data collected for research and statistical purposes;
- To enable underwriting management agencies ("UMAs") to process claims and discharge any functions specified in a binder agreement;
- To help recover bad debts;
- To transfer Personal Information/Personal Data across the borders of South Africa to other jurisdiction;

- To carry out analysis and Client profiling;
- To identify other products and services which might be of interest to our Clients and Data Subjects in general, as well as to inform them of such products and/or services; and
- To obtain and share information about a Data Subject's credit worthiness and risk profile with any credit bureau or credit provider's industry association or industry body, which includes information pertaining to a Data Subject's credit history, claims history, financial history, judgements, default history and sharing information for purposes of risk analysis, tracing and related purposes.

## 6.2 CATEGORIES OF DATA SUBJECTS AND PERSONAL INFORMATION PROCESSED BY STANGEN

The categories of data subjects and personal information processed by Stangen may include, but is not limited to, the following:

<b>Client and Potential Clients</b>	Client and Potential Clients personal information Client and Potential Clients financial information Client special personal information
<b>Suppliers, Partners, Service Providers</b>	Supplier/ Partners / Service Providers personal information Supplier/ Partners / Service Providers special personal information
<b>Employees</b>	Employee personal information Employee special personal information

## 6.3 RECIPIENTS OR CATEGORIES OF RECIPIENTS WITH WHOM PERSONAL INFORMATION IS SHARED

Subject to any relevant terms and conditions of use which may be applicable when a data subject engages with Stangen, we may share the personal information of any data subject we process for any of the purposes outlined in section 4.1 above, with the following third parties, whether such third parties qualify as "responsible parties" in terms of section 1 of the POPI Act or not:

- any associated company of Stangen;
- any relevant service providers;
- any consultant or advisor to Stangen
- any relevant regulatory authorities who may govern Stangen in undertaking its operations or business;
- any approved service provider, contractor or supplier with whom Stangen has an agreement;
- UMAs;
- any approved business partners who provide products and services to Stangen; and
- any approved service providers or authorised agents who perform services on Stangen's behalf.

Stangen processes personal information in order to facilitate and enhance the delivery of products and services to its clients, foster a legally compliant workplace environment, as well as safeguard the personal information relating to any data subjects which it in fact holds. We undertake to process any personal information in a manner which promotes the constitutional right to privacy, retains accountability and data subject participation.

## **6.4 INFORMATION SECURITY MEASURES TO PROTECT PERSONAL INFORMATION**

We have, and continue to, implement reasonable, technical and organisational measures for the protection of personal information processed by Stangen. We at all times take reasonable and appropriate security measures to secure the integrity and confidentiality of personal information in our possession in order to guard against:

- the loss of, damage to or unauthorised destruction of personal information;
- the unlawful access or processing of personal information; or
- the wilful manipulation of personal information.

We will take steps to ensure that any third-party process operators (as defined in terms of section 1 of the POPI Act) who process personal information on behalf of Stangen apply adequate safeguards as outlined above.

## **6.5 TRANS-BORDER FLOWS OF PERSONAL INFORMATION**

Stangen will take reasonable steps to ensure that any third-party process operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold the principles for reasonable and lawful processing of personal information as contemplated in terms of the POPI Act.

## **6.6 PERSONAL INFORMATION RECEIVED FROM THIRD PARTIES**

When Stangen receives personal information from any third party on behalf of a data subject, we require confirmation that such a third party has written consent from the data subject, that they are aware of the contents of this PAIA Manual and the Stangen Privacy Policy, and do not have any objection to our processing their personal information accordingly.

## **7. REQUEST PROCEDURE**

Access to records held by Stangen may be accessed by requesters<sup>1</sup> only once the prerequisite requirements for access have been met. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

### **7.1 PERSONAL REQUESTER**

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Stangen will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. Stangen may require the requester to pay an access fee, and such fee will include fees associated with the search for, preparation of, and reproduction of documents. Such fees will not exceed the maximum applicable published by the Minister of Justice and Constitutional Development in the Government Gazette.

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<sup>1</sup> A requester is any person making a request for access to the record of or held by Stangen

## 7.2 OTHER REQUESTER

This requester (other than a personal requester) is entitled to request access to information on third parties. However, Stangen is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act. Stangen may require the requester to pay an access fee, and such fee will include fees associated with the search for, preparation of, and reproduction of documents. Such fees will not exceed the maximum applicable published by the Minister of Justice and Constitutional Development in the Government Gazette.

## 7.3 FORM OF REQUEST

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record being:

- 7.3.1 The requester must use the prescribed form (Annexure A – Form C) to make the request for access to a record. The request should be made to the Information Officer at the address or electronic mail address as stated in section 4 above.
- 7.3.2 The prescribed form must be filled in with sufficient detail to enable the Information Officer to identify the following:
  - 7.3.2.1 The record or records requested;
  - 7.3.2.2 The identity of the requester;
  - 7.3.2.3 Which form of access is required;
  - 7.3.2.4 The postal address of the requester;
  - 7.3.2.5 The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 7.3.3 Stangen will process the request within 30 (thirty) days, unless the requestor has stated special reasons, which would satisfy the Information Officer that circumstances dictate that the above time period not be complied with.
- 7.3.4 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 must state the manner and the particulars so required.
- 7.3.5 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
- 7.3.6 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

## 7.4 DECISION

- 7.4.1 Stangen will, within 30 (thirty) calendar days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 7.4.2 The 30 (thirty) day period with which Stangen has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 (thirty) days if the request is for a large amount of information, or the information cannot reasonably be obtained within the initial 30 (thirty) day period. Stangen will notify the requester in writing should an extension be sought.

## 7.5 GROUNDS FOR REFUSAL

The main grounds for Stangen to refuse a request for information may amongst others relate to the:

- 7.5.1 Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- 7.5.2 Mandatory protection of the commercial information of a third party, if the record contains –
- 7.5.3 Trade secrets of that third party;
- 7.5.4 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- 7.5.5 Information disclosed in confidence by a third party to Stangen, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 7.5.6 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 7.5.7 Mandatory protection of the safety of individuals and the protection of property; or
- 7.5.8 Mandatory protection of records which would be regarded as privileged in legal proceedings.
- 7.5.9 The commercial activities of Stangen, which may amongst others include –
- 7.5.10 Trade secrets of Stangen;
  - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Stangen;
  - Information, which, if disclosed, could put Stangen at a disadvantage in negotiations or commercial competition;
  - A computer program which is owned by Stangen, and which is protected by copyright; or
  - The research information of Stangen or a third party, if its disclosure would disclose the identity of Stangen, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 7.6 Requests for information that is clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## **8. REMEDIES AVAILABLE WHEN ACCESS TO INFORMATION IS REFUSED**

### **8.1 INTERNAL REMEDIES**

Requests which are refused may be escalated to the Information Officer by sending an email to [christiene.pretorius@stangen.co.za](mailto:christiene.pretorius@stangen.co.za). Any decision made by the Information officer is final. Should the requestor not be satisfied with the answer supplied by the Information Officer, he/she should exercise the external remedies at their disposal.

### **8.2 EXTERNAL REMEDIES**

A requestor being either a personal requester or any other requester that is dissatisfied with the Information Officer refusal to disclose information, may within 30 (thirty) days of notification of the decision, apply to a Court having jurisdiction or the Information Regulator for relief.

## **9. AVAILABILITY OF THIS MANUAL**

This manual is available for inspection by the general public upon request, during office hours and free of charge at the offices of The Standard General Insurance Company Limited.

This manual is also published on the website of Stangen ([www.stangenlife.co.za](http://www.stangenlife.co.za)).

**PRESCRIBED FORM TO BE COMPLETED BY A REQUESTER**

**REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY**  
(Section 53(1) of the Promotion of Access to Information Act, No. 2 of 2000)  
(Regulation 4)

**A. PARTICULARS OF PRIVATE BODY**

The Head:

**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

Full Name and Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

Email address: \_\_\_\_\_

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

**C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE**

This section must be completed only if a request for information is made on behalf of another person.

Full Name and Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

**D. PARTICULARS OF RECORD**

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of the Record or relevant part of the record:

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2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of the record: \_\_\_\_\_

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**E. FEES**

- (a) 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.
- (b) You will be notified of the amount of the request fee.
- (c) The fee payable for access to a record depends on the form in which the access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefore.

Reason for exemption of payment of the fee:

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**F. FORM OF ACCESS TO THE RECORD**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for, state your disability and indicate in which form the record is required.

Disability	Form in which record is required

**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

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

Indicate which right is to be exercised or protected:

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Explain why the requested record is required for the exercising or protection of the aforementioned right:

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**H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

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**SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE**