

## PAIA MANUAL

### ACCESS TO INFORMATION MANUAL

As required by Section 51 of the Promotion to Access of Information Act No 2 of 2000 (PAIA).

#### This manual helps you get access to our information

This manual will help you get access to information we hold. We are required in terms of PAIA to make this manual available to you so you can see what type of information we have, as well as how you can request to get access to it.

#### Our details

Company name	OMBUDSMAN FOR BANKING SERVICES
Registration Number	2000/002577/08
Physical Address	34-36 Fricker Road, Ground Floor, 34 Fricker Road, Illovo, 2196
Postal Address	P O Box 87056, Houghton, 2041
Telephone Number	011 712 1800
Fax Number	011 483 3212
General contact email address for the	info@obssa.co.za
Email address for heads of the company	edrichb@obssa.co.za
Website	<a href="http://www.obssa.co.za">www.obssa.co.za</a>

**Further guidance on how you can get access to information**

If you would like to find out more information about PAIA you can contact the South African Human Rights Commission ("SAHRC") who has compiled a guide, in each official language on how to exercise any right contemplated in PAIA. If you want to get the guide, the SAHRC can be contacted as set out below:

**The South African Human Rights Commission:**

Postal address: Private Bag 2700  
 Houghton  
 2041

Telephone: +27 11 484-8300

Fax: +27 11 484-0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

**The records we hold**

A description of the records held by the company, as required by section 51(1)(e) of PAIA, is set out in the table below.

CATEGORIES OF RECORDS ON EACH SUBJECT		AVAILABILITY
<b>1. Company Secretarial Records</b>		
Company Incorporation Documents	Electronic and physical	Automatically available
Names of Directors	Electronic and physical	Automatically available on company website
Salaries of Directors	Electronic and physical	Not automatically available
<b>2. Financial Records of the Company</b>		
Financial statements	Electronic and physical	Not automatically available
Documents relating to taxation of the company	Physical	Not automatically available

Financial Agreements	Physical	Not automatically available
Banking Details	Electronic and physical	Automatically available. Send email to Louiseh@obssa.co.za
<b>3. Insurance of Company</b>		
Insurance Policies held by the Company	Physical	Not automatically available
Register of all immovable/Movable property owned by the company	Physical	Not automatically available
<b>4. Employees</b>		
List of Employees	Electronic and physical	Not automatically available
Personal information of employees	Electronic and physical	Not automatically available
Employee contracts of employment	Electronic and physical	Not automatically available
Pension Funds & Provident Fund	Electronic and physical	Not automatically available
Salaries of Employees	Electronic and physical	Not automatically available
Leave records	Physical	Not automatically available
<b>5. Company Policies and Directives</b>		
Internal relating to employees and the company	Electronic and physical	Not automatically available
External relating to clients and other third parties	Electronic and physical	Not automatically available
<b>6. Agreements or Contracts</b>		
Standard Agreements	Physical	Not automatically available
Contracts concluded with customers	Physical	Not automatically available

NDA's	Physical	Not automatically available
Letters of Intent, MOU's	Physical	Not automatically available
Third party contracts (such as JV agreements, Other Agreements etc.)	Physical	Not automatically available
Office management contracts	Physical	Not automatically available
Supplier contracts	Physical	Not automatically available
<b>7. Regulatory</b>		
Licenses or Authorities	Physical	Not automatically available
<b>8. Published Information</b>		
External Newsletters and Circulars	Electronic and physical	Automatically available
Internal Newsletters and Circulars	Electronic and physical	Not automatically available
Information on the company published by third parties	Electronic and/or physical	Not automatically available
<b>9. Consumer Information</b>		
Consumer Details	Electronic	Not automatically available
Communications with consumers	Electronic	Not automatically available

### How you can request Access

In order to comply with our obligations in terms of PAIA we have authorised and designated **Edrich Buytendorp** to deal with all matters relating to PAIA. In order to request access to a record please complete the Request for Access Form which is



available at [www.sahrc.org.za](http://www.sahrc.org.za) and submit it to the company at its physical address, its fax number or general contact email address provided above.

### **Information we hold to comply with the law**

We hold information in accordance with the following legislation:

1. Basic Conditions of Employment No. 75 of 1997
2. Companies Act No. 761 of 2008
3. Consumer Protection Act 68 of 2008
4. Electronic Communications and Transactions Act 25 of 2002
5. Employment Equity Act No. 55 of 1998
6. Income Tax Act No. 95 of 1967
7. Labour Relations Act No. 66 of 1995
8. National Credit Act 34 of 2005
9. Protection of Personal Information Act No. 4 of 2013
10. Value Added Tax Act No. 89 of 1991

### **Other Information as may be Prescribed**

We will make available any other information as prescribed by The Minister of Justice and Constitutional Development in terms of the regulations in terms of the Act.

### **We may refuse you access to protect others**

In terms of PAIA we are allowed to refuse you access to certain documents. These grounds for refusal are to protect –

- the privacy of another person;
- commercial information of another company;



- confidential information of another person;
- the safety of individuals and property;
- records privileged from production in legal proceedings; and
- research information.

You will be notified in writing whether your request has been approved or denied within 30 calendar days after we have received a completed Request for Access Form. Should any record of the company requested by you not be found or not exist, the company will, by way of affidavit, notify you that it is not possible to give access to that particular record.

#### **In what form we will give you access**

If your request for access to records of the company is approved, we will determine how we will provide access to you, unless you have requested access in a specific form.



### **How much it will cost you**

Section 52 (3) states that fees payable for access to records are to be prescribed. The prescribed fees are as set out in the **Fee Schedule** which is available at [www.sahrc.org.za](http://www.sahrc.org.za).

### **Processing Personal Information**

In terms of POPI we are required to detail how and what personal information we process. The details of this is available on our website under the Website Privacy Policy and the Terms of Use of the Website

We do not plan to transfer personal information across borders out of SA, but we may do so to secure or backup the data, or for technical reasons. The nature of cloud computing means that some data may be transferred across borders. Where it is within our control we will only transfer data to other countries who have similar privacy and data protection laws as our own.

### **How we protect personal information**

We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect.

The services we use make use of relatively secure data transmission and storage technologies to reasonably protect your personal information from unauthorised disclosure and maintain your personal information's integrity.