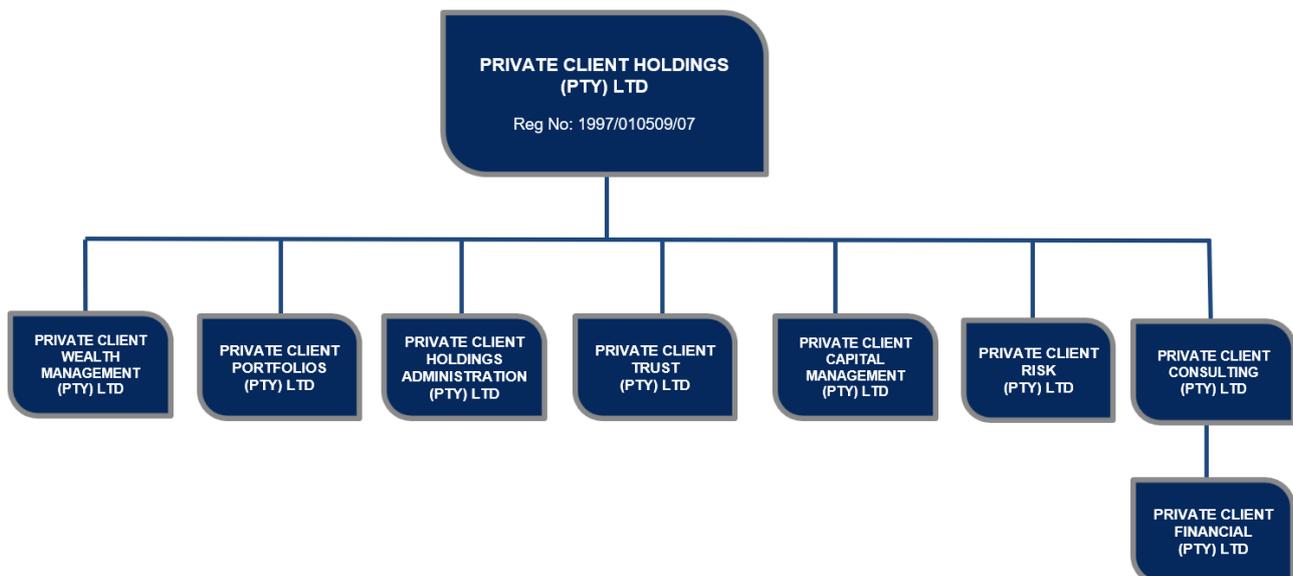




# PRIVATECLIENT HOLDINGS

## A Guide to ACCESSING OUR INFORMATION (PAIA)



**PROMOTION OF ACCESS TO INFORMATION ACT (Particulars in terms of section 51)**

- 1 Introduction
- 2 Contact Details
- 3 The section 10 Guide on how to use the Act
- 4 Records available in terms of any other legislation
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## **PAIA - PROMOTION OF ACCESS TO INFORMATION ACT**

### **INFORMATION MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 IN RESPECT OF PRIVATE CLIENT HOLDINGS (PTY) LTD (COMPANY REGISTRATION NUMBER 1997/010509/07) AND IT'S FOLLOWING SUBSIDIARIES:**

Private Client Holdings Administration (Pty) Ltd (Reg No: 1990/002661/07)  
Private Client Wealth Management (Pty) Ltd (Reg No: 1997/012036/07)  
Private Client Portfolios (Pty) Ltd (Reg No: 1971/010221/07)  
Private Client Financial (Pty) Ltd (Reg No: 1990/004177/07)  
Private Client Trust (Pty) Ltd (Reg No: 1991/007329/07)  
Private Client Risk (Pty) Ltd (Reg No: 1993/006825/07)  
Private Client Consulting (Pty) Ltd (Reg No: 2017/413105/07)  
Private Client Capital Management (Pty) Ltd (Reg No: 2016/016302/07)

#### **1. INTRODUCTION**

##### **Main Business**

We are an authorised Financial Services Provider in terms of the FAIS Act. Our FSP licence no's are:

Private Client Holdings (Pty) Ltd, FSP no: 613  
Private Client Wealth Management (Pty) Ltd, FSP no: 39979  
Private Client Portfolios (Pty) Ltd, FSP no: 39978

Private Client Holdings is a Wealth and Asset Management company.

Specialist Divisions: Wealth Management, Portfolio Management, Fiduciary Services, Financial Services, Risk Management, Cash Management.

#### **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

#### **2. CONTACT DETAILS**

Name of Private Body: Private Client Holdings (Pty) Ltd  
Directors: Grant AJ Alexander, Andrew S Ratcliffe  
Postal address: PO Box 24033, Claremont, 7735  
Street Address: 46 Main Road, Claremont, 7708  
Telephone number: +2721 671 1220  
Fax number: +2721 671 1149  
Email address: grant@privateclient.co.za, andrew@privateclient.co.za

#### **3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT**

The Guide will, according to the South African Human Rights Commission (SAHRC), be available for inspection at the offices of the SAHRC. Please direct any queries to:

##### **The South African Human Rights Commission:**

##### **PAIA Unit The Research and Documentation Department**

Postal address: Private Bag 2700, Houghton, 2041  
Telephone: 011 484 8300  
Fax: 011 484 7146  
Website: www.sahrc.org.za  
E-mail: PAIA@sahrc.org.za

#### **4. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION**

1. Administration of Estates Act, No. 66 of 1965
2. Basic Conditions of Employment No. 75 of 1997
3. Close Corporations Act No. 69 of 1984
4. Companies Act No. 61 of 1973
5. Financial Services Board Act No. 97 of 1990
6. Income Tax Act No. 95 of 1967
7. Long Term Insurance Act No. 52 of 1998
8. Public Accountants ' and Auditors' Act
9. Stock Exchange Control Act No. 1 of 1985
10. Value Added Tax Act No. 89 of 1991

#### **5. ACCESS TO THE RECORDS HELD BY PRIVATE CLIENT HOLDINGS (PTY) LTD AND ITS SUBSIDIARIES**

##### **I. Information readily available:**

FSP Licences  
PCWM Mandate

##### **II. Records that may be requested:**

##### **Administration**

Correspondence  
Licences  
Minutes of management meetings  
Minutes of staff meetings

##### **Constitution**

List of directors  
Minute books and resolutions  
Power of attorney agreements  
Share Register  
Shareholders' Agreements  
Statutory registers

##### **Finances**

Annual financial statements  
Assets Register  
Banking details  
Bank statements  
Financial statements  
Stock records

##### **Human Resources**

Disciplinary records and documentation pertaining to disciplinary proceedings  
Employee code of conduct  
Employment contracts  
Employment equity plan  
Personnel Files  
Remuneration records and policies  
Staff recruitment policies

##### **Incorporation Documents**

Incorporation forms  
Memorandum and articles of association

##### **Information Technology**

Computer software support and maintenance agreements  
Software licence agreements  
Agreements in respect of computer hardware  
Agreements with Internet Service Providers

##### **Operations**

Production records  
Register of clients  
Sales records  
Specific types of work done and records related to it

## 1. PROCEDURES TO FOLLOW TO ACCESS INFORMATION

### 1.1. REQUESTER

#### 1.1.1. Personal Requester:

A Personal Requester is a requester who is seeking access to a record containing Personal Information about the Requester itself. Access will be granted by PCH subject to applicable legislation.

#### 1.1.2. Other Requester:

If a person other than the Personal Requester is seeking access to a record containing Personal Information, then PCH is not obliged to grant access to such record, unless such person fulfils the requirements for access as provided for in terms of PAIA.

### 1.2. FEES PAYABLE

The applicable fees are prescribed in terms of the Regulations promulgated under PAIA:

**1.2.1. Request fee:** This does not apply if the request is for personal records of the person requesting – in this instance no fee is payable. If the requested information is not freely available, then a non-refundable fee is payable up on submission of any request for access to any record (as prescribed by the Dept of Justice and Constitutional Development) (Requester to contact PCH for fee)

**Access fee:** An access fee is payable prior to being granted access to the records in the form required. These fees are prescribed in Part III of Annexure A as defined in Government Gazette Notice No. 187, Regulation 11.

### 1.3. REQUEST PROCEDURES

- Access to records with Personal Information is subject to the procedural requirements contained in PAIA.
- A Requester must complete the prescribed form enclosed herewith in Appendix 1 and payment of the required fee (only if it is an Other Requester) must be made.
- The completed and signed Appendix 1 form together with proof of payment must either posted, submitted per hand or be emailed to the Information Officer at the email address stated above.
- 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.
- 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 on behalf of the other person to the satisfaction of the Information Officer.
- All required information must be provided on the Appendix 1 form and the information must be true complete and correct with enough particularity to enable the Information Officer to identify:
  - the Requester's identity;
  - contact details of the Requester;
  - the requested record/s, and
  - the form of access required by the Requester.
- A Requester may only request access to a record in order to exercise or protect a right and must clearly state what the nature of the right is so to be exercised or protected. The requester is further required to provide an explanation of why the requested record is required for the exercise or protection of that right.
- PCH will process a request to access a record within 30 (thirty) days of receipt of the completed Appendix 1 form together with proof of payment, if applicable, unless the Requestor has stated exceptional reasons and circumstances together with proof, if applicable, that would satisfy the Information Officer that the time period not be complied with.
- PCH shall inform the Requester in writing whether access has been granted or denied together with reasons thereof.
- If the Requester requires access to the records in another manner, the Requester must state the manner and the particulars so required.

### 1.4. GROUNDS FOR REFUSAL

PAIA provides several grounds on which a request for access to information must be refused and a complete list of the grounds for refusal is available in Chapter 4 of PAIA.

These grounds mainly concern instances that may include where:

- the privacy and interests of other individuals are protected;
- such records are already otherwise publicly available;
- public interests are not served;
- the mandatory protection of commercial information of a third party;
- the mandatory protection of certain confidential information of a third party.

**Annexure A - FORM C**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)  
[Regulation 10]

**A. Particulars of private body**

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**B. Particulars of person requesting access to the record**

(a) The particulars of the person who requests access to the record must be given below.  
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.  
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: \_\_\_\_\_  
Identity number: \_\_\_\_\_  
Postal address: \_\_\_\_\_  
Fax number: \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
E-mail 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 names 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 record or relevant part of the record: \_\_\_\_\_  
2. Reference number, if available: \_\_\_\_\_  
3. Any further particulars of record: \_\_\_\_\_

**E. Fees (refer to prescribed fees on the website of SAHRC under the link “access to information / PAIA”)**

(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 required to be paid as the request fee.  
(c) 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.  
(d) If you qualify for exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**F. Form of access to record**

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 4 hereunder, state your disability and indicate in which form the record is required.	
Disability:	Form in which record is required
Mark the appropriate box with an X. NOTES: (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

<b>1. If the record is in written or printed form:</b>							
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record				
<b>2. If record consists of visual images</b> this includes photographs, slides, video recordings, computer-generated images, sketches, etc)							
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"	<input type="checkbox"/>	transcription of the images*		
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>							
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	listen to the soundtrack audio cassette				
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>							
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information	<input type="checkbox"/>	copy in readable form*		
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

**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.
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- 1. Indicate 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:

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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 in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.
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How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at..... This ..... day of .....20 .....

Signature of requester / person on whose behalf request is made.