

VUNANI

LIMITED

**VUNANI LIMITED**

Registration number: 1997/020641/06

**Promotion of Access to  
Information Manual  
July 2021**

**THIS MANUAL WAS PREPARED IN  
ACCORDANCE WITH SECTION 51  
OF THE  
PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 AND  
WAS LAST UPDATED IN JULY  
2021**



# PROMOTION OF ACCESS TO INFORMATION MANUAL FOR VUNANI LIMITED

This manual applies to Vunani Limited, its subsidiaries and associated companies as disclosed in the Vunani Limited consolidated annual report for the financial year ended 31 December 2020 (hereunder referred to collectively as “Vunani Limited”).

## 1. INTRODUCTION

Vunani Limited is a diversified financial services group, which operates through the following segments:

- Asset management
- Investment banking and advisory
- Investment holdings
- Securities broking
- Property investments and developments

## 2. CONTACT DETAILS

Head of body: Ethan Dube (Chief Executive Officer)

Physical Address: Athol Ridge Office Park  
151 Katherine Street  
Sandton  
2196

Postal Address: PO Box 652419  
Benmore  
2010

Tel No: +27 11 263 9500

Fax No: +27 11 784 2550

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

## 3. 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)

#### **4. ACCESS TO RECORDS HELD BY VUNANI LIMITED**

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.

#### **5. RECORDS THAT ARE AVAILABLE IN TERMS OF SECTION 51 (1) 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.

##### **Personnel documents and records:**

- Employment Contracts/ Letter of appointment
- Employment Equity Plan
- Staff qualifications, curriculum vitae, identity documents
- Salary records
- Leave Records
- Best Practice Guidelines
- Leave Policy
- Study Policy
- Disciplinary codes, policies, procedures and records

##### **Financial Records:**

- Financial reports, statement and other accounting records;
- Taxation records
- Banking details and statements
- Electronic banking records
- Audit reports and documentation

- Annual Financial Statements
- Tax Clearance Certificates
- Asset Register
- Workplace Skills Plan

#### **SARS Statutory Records**

- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- PAYE, SDL & UIF records, including computations, returns and payment details
- VAT records, including computations, returns and payment or refund details
- Workmen's Compensation return

#### **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;

#### **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 and directives;
- Records in terms of other applicable legislation;

#### **Records Available in terms of other Legislation:-**

- Companies Act
- Income Tax Act
- Value Added Tax Act
- Employment Equity Act
- Unemployment Insurance Act
- Skills Development Act
- Basic Conditions of Employment Act
- Compensation for Occupational Injuries and Disease Act

#### **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.

## 6. List of Applicable Legislation

- Basic Conditions of Employment Act 57 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 61 of 1973
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act of 1998
- Consumer Protection Act of 1998
- Copyright Act 98 of 1978
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Exchange Control Amnesty and Amendment of Taxation Laws Act of 2003
- 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
- Occupational Health and Safety Act 85 of 1993
- Regulation of Interception of Communications and Provision of Communication-Related
- Pension Funds Act 24 of 1956
- 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
- Securities Services Act 36 of 2004
- Securities Transfer Tax Act 25 of 2007
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- 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.

## 7. 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 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 (Annexure A) 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.

## **8. 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.

## **9. FEES**

There are two types of fees to be paid in terms of the PAIA, namely:

- the 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.

(See Annexure B for the prescribed fees)

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.

## **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. 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.

Signed at SANDTON on this 28<sup>th</sup> day of DECEMBER 2020

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**MRS A JUDIN**  
Financial Director

**ANNEXURE A**

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**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:

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

1. The particulars of the person who requests access to the records must be recorded below.
2. Furnish an address and/or fax number in the Republic to which information must be sent.
3. Proof of the capacity in which the request is made, if applicable, must be attached.

Full Name and Surname:

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Identity Number:

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Postal Address:

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Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

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

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**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:

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Identity Number:

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**D. Particulars of Record:**

1. 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.
2. 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.

Description of the Record or relevant part of the record:

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Reference number, if available:

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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 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 my fee, state the reason therefor.  
Reason for exemption from payment thereof:

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### 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:
<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
Mark the appropriate box with an "X"	
NOTES:	
a) Your indication as to the required form of access depends 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 to the record, if any, will be determined partly by the form in which access is requested	
<hr/>	
1. If the record is in written or printed form -	
<input type="checkbox"/> copy of record* <input type="checkbox"/> inspection of record	

- 2. If record consists of visual images -  
(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)
  - view the images           copy of the images\*     transcription of the images\*
- 3. If record consists of recorded words or information which can be reproduced in sound -
  - listen to the soundtrack     transcription of soundtrack\*  
(audio cassette)                      (written or printed document)
- 4. If record is held on computer or in an electronic or machine-readable form:
  - printed copy of record\*    printed copy of the information derived from the record\*

\* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you (postage for your account) ? Y/N

**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.**

1. Indicate which right is to be exercised or protected:

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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 of 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.

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

## **ANNEXURE B**

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### **Section 51(1)(f)**

#### **FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - a) For every photocopy of an A4-size page or part thereof - R1,10
  - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form - R0,75
  - c) For a copy in a computer-readable form on compact disc - R70,00
  - d) (i) For a transcription of visual images, for an A4-size page or part thereof - R40,00  
(ii) For a copy of visual images - R60,00
  - e) (i) For a transcription of an audio record, for an A4-size page or part thereof - R20,00  
(ii) For a copy of an audio record - R30,00
  - f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
  - a) For every photocopy of an A4-size page or part thereof - R1,10
  - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form - R0,75
  - c) For a copy in a computer-readable form on compact disc - R70,00
  - d) (i) For a transcription of visual images, for an A4-size page or part thereof - R40,00  
(ii) For a copy of visual images - R60,00
  - e) (i) For a transcription of an audio record, for an A4-size page or part thereof - R20,00  
(ii) For a copy of an audio record - R30,00
  - f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
5. For purposes of section 54(2) of the Act, the following applies:

- a) Six hours as the hours to be exceeded before a deposit is payable; and
  - b) one third of the access fee is payable as a deposit by the requester.
6. The actual postage is payable when a copy of a record must be posted to a requester.