



# Manual Prepared in Terms of Section 51 of The Promotion of Access to Information Act, No 2 of 2000

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## Introduction to Legacy

Legacy Family Wealth (Pty) Ltd, hereafter referred to as “Legacy” is a financial services group and consists of different business divisions. Collectively, these divisions provide financial and estate planning, short-term and long-term insurance, asset management, collective investments, and other financial services to their clients.

The Board of Directors of the Legacy have instructed the Compliance Department to attend to all matters relating to this Act.

## Particulars of the Section 51 Manual

This manual has been compiled in accordance with the Promotion of Access to Information Act, No 2 of 2000.

## Contact Details

The following Directors of Legacy are the designated Information Officers. The contact details of the Information Officers are as follows:

Legacy Family Wealth (Pty) Ltd  
Bronson Friedman  
Tel: +27 10 035 4216  
E-mail: Bronson@lfwealth.co.za

Information Officers physical and postal addresses as below:

Physical Address	Postal Address
The Business Exchange, 4th Floor, Werksmans Attorney Building, 96 Rivonia Road, Sandton, 2196	The Business Exchange, 4th Floor, Werksmans Attorney Building, 96 Rivonia Road, Sandton, 2196



## The Section 10 Guide on How to Use The Act

The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041  
Telephone Number: +27-11-877 3600  
Fax Number: +27-11-403 0625  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## Types of Records

### a) Records Available in Terms of Applicable Legislation

All records held by Legacy in terms of applicable legislation are available in accordance with the applicable legislation.



## b) Schedule of Records

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Personnel records	Personnel records Records provided by a third party relating to personnel Conditions of employment and other employee contractual related and quasi legal records Internal and correspondence records Training records	Request in terms of PAIA
Client related records	Records provided by a client to an intermediary Third party records Transactional records Records generated by the third party Records required to be kept in terms of legislation (e.g. FICA documents)	Request in terms of PAIA
Private body records	Financial records Internal correspondence Shareholder records Incorporation records Compliance records Internal policies and procedures Databases Information technology Securities and equities	Proprietary - Not available. Request in terms of PAIA.
Records in the possession of or pertaining to other parties	Contractual records Supplier records Attorney records Auditor records Personnel, client or private body records which are held by another party Financial records	Request in terms of PAIA

## Request information

### a) Form of Request

A “personal requester” is a person seeking information about him/her/itself. An “other requester” is a person seeking information about third parties.

Note that you will not have to pay a request fee if you are requesting your own personal information.

Note that in this instance Legacy is under no obligation to voluntarily grant access.

To request access to records held by Legacy and/or any of the other Legacy entities listed in this PAIA manual, the requester must do the following:

1. Use the prescribed **request form** as provided for in **Annexure A** of this manual.
2. Submit the request form to the attention of the Information Officer at the electronic email address as provided for under section 3 of this manual.
3. Provide sufficient details to enable Legacy to identify:
  - a) The record(s) requested
  - b) The requester (an agent is lodging a request - proof of capacity)
  - c) The form of access required
  - d) The postal address or fax number of the requester in the Republic
  - e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
  - f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
4. To process the request, the requester must pay the **prescribed fees** as provided for in **Annexure B** of this manual. (Upon receipt of the Request form, the Information Officer will inform the requester of the fee due and payable). Further note the Prescribed Fee section of this manual.
5. Legacy will process the request within 30 days unless the Information Officer is satisfied as to why the request should be processed in a shorter period.
6. Note that Legacy will only process requests if the access requirements have been met.
7. An individual who because of illiteracy or a disability is unable to make a request for access to a record held by Legacy, may make that request orally.

#### b) Refusal of Access To Records

The grounds for refusal of access to records are (list is not exhaustive):

- Mandatory protection of privacy of third party who is natural person
- Mandatory protection of certain records of South African Revenue Service
- Mandatory protection of commercial information of third party
- Mandatory protection of certain confidential information, and protection of certain other confidential information, of third party
- Mandatory protection of safety of individuals, and protection of property
- Mandatory protection of police dockets in bail proceedings, and protection of law enforcement and legal proceedings
- Mandatory protection of records privileged from production in legal proceedings



- Defence, security, and international relations of Republic
- Economic interests and financial welfare of Republic and commercial activities of public bodies
- Mandatory protection of research information of third party, and protection of research information of public body
- Operations of public bodies
- Manifestly frivolous or vexatious requests, or substantial and unreasonable diversion of resources
- Mandatory disclosure in public interest

## Prescribed Fees

Please refer to Annexure B of this manual for more information regarding prescribed fees.

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted)
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za)

## Availability of the Manual

The manual is available on the Legacy website ([www.legacyfamilywealth.co.za](http://www.legacyfamilywealth.co.za)) or alternatively it may be requested from our information Officer at the email address provided in the Contact Details section above.



## 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 a private body

The Head:

### 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:

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 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

- 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.



'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 NO

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)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?		<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No

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:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

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.

How would you prefer to be informed of the decision regarding your request for access to the record?

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



## Annexure B

Fee structure for private bodies

### Reproduction fees

	<b>Fee</b>
For every photocopy of an A4 size paper or part thereof	R1,10
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
For a copy in a computer- readable form on stiffy disc (SD)	R7,50
For a copy in a computer -readable form on a compact disc (CD)	R70,00
A transcription of visual images, for an A4 size page or part thereof	R40,00
For a copy of visual images	R60,00
For a transcription of an audio record, for an A4-size page or part thereof	R20,00
For a copy of an audio record	R30,00

### Request Fees (For Requests on Behalf of Another Person)

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50, 00 is payable upfront before the institution will further process the request received.	R50,00
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### Access Fees

For every photocopy of an A4 size paper or part thereof	R1,10
For every printed copy of an A4size page or part thereof held on a computer or in electronic or machine-readable form	R0,75
For a copy in a computer readable form on stiffy disc	R7,50
For a copy in a computer readable form on a stiffy disc compact disc	R70,00
A transcription of visual images, for an A4size page or part thereof	R40,00
For a copy of visual images	R60,00
To search for a record that must be disclosed, R30,00 for every hour or part of an hour reasonably required for such search	R30,00

### Deposits

Where the institution receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester. The amount of the deposit is equal to  $\frac{1}{3}$  (one third) of the amount of the applicable access fee.

