



PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 SECTION 51 MANUAL

FOR

OSure Brokers Pty Ltd

2016/230886/07

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Introduction

The Promotion of Access to Information Act, No.2 of 2000("the Act"), was enacted to give effect to the constitutional right of access to information [whether held by the State or by any other person] provided that the information is required for the exercise or protection of any right/s.

This manual for OSure Brokers cc is made available in terms of the Promotion of Access to Information Act.

OSure Brokers cc provides intermediary services Short Term Insurance business and is an authorised Financial Services Provider (FSP 28085)

1. Contact Details

Postal and Physical Address:

Wentsworth Building

107 Somerset Links

Somerset West

7110

Tel Number: 0861 011 012

Email: info@itinsurance.co.za

Any person who wishes to request access to record with the attention of protecting or exercising a right in terms of the Act may contact the Information officer, John Offen at;

2. This Section 10 Guide on how to use the Act

The Guide is available from the South African Human Rights Commission. 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: +27 11 484-8300

Fax: +27 11 484-7146

3. Categories of Records Held by OSure Brokers cc;

a) Records relating to operational aspects of the business;

- Financial records
- Operational records
- Regulatory Correspondence
- Statutory records
- Internal correspondence
- Registrations and statutory authorisations
- Internal policies and procedures
- Records of contractual agreements between OSure Brokers cc and third parties
- Assets
- Minutes of meetings

b) Human Resources;

- Personal Records provided by employees to OSure Brokers cc
- Employment contracts and related contractual information
- Remuneration records
- Internal records and correspondence
- Training Recording

c) Client Related Records;

- Client records and correspondence provided to OSure Brokers cc by clients
- Records and correspondence generated by OSure Brokers cc to clients
- Records and correspondence provided by third parties to OSure Brokers cc

4. Records available in terms of other legislation

The requestor may also request information that is available in terms in legislation, such as the following;

- Basic Conditions of Employment No. 75 of 1997
- Closed Corporations Act No. 69 of 1984
- Companies Act No. 61 of 1973

- Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Services Board Act no. 97 of 1990
- Income Tax Act No. 95 of 1967
- Occupational Health & Safety Act No. 85 of 1993
- Regional Services Councils Act No. 109 of 1985
- Short Term Insurance Act No. 53 of 1998
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

5. Request Procedure

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned

[s 53(1)]. See annexure A

- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- 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 head of the private body [s 53(2)(f)].

Fees;

A Requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any)

before further processing the request [s 54(1)].

- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender of payment of the request fee

[s 54(3)(b)].

- After the head of the private body has made a decision on the request, the requester must be notified in the required form.

- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

6. Other information as may be prescribed [Section 51(1)(f)];

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

7. Availability of the manual [Section 51 (3)]

A copy of this manual is available free of charge at the offices of OSure Brokers cc and copies are available with the SAHRC at the addresses supplied above.