



TRANSPARENT  
**FINANCIAL**  
SERVICES

PAIA

**MANUAL**

**Prepared in terms of section 51 of the Promotion of Access to Information  
Act 2 of 2000 (as amended)**

VERSION 2.0 – 2022/01/01

This document was designed by and for the use of Transparent Financial Services (Pty) Ltd and its subsidiary companies.

**Authorised Financial Service Provider: FSP No 42843 • CIPC Reg No 2005/013904/07**  
**CMS Accredited Brokerage ORG4284 • Licensed Retirement Fund Administrators Reg No 24/431**



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## 1. DOCUMENT GOVERNANCE

### 1.1 Configuration control

<b>Title</b>	PAIA Manual			
<b>Author</b>	Khotso Molete			
<b>Effective date</b>	2022/01/01			
<b>Version no.</b>	2.0			
<b>Duration</b>	1 year (subject to review annually)			
<b>Period covered</b>	Scheduled for review on 2023/01/01			
<b>Documentation history</b>				
<b>Version</b>	<b>Revised by</b>	<b>First publication</b>	<b>Revision date</b>	<b>Significant changes</b>
2.0	Khotso Molete	2015/12/21	2021/11/11	Aligning the manual with the new regulatory requirements and format; updates to information; inclusion of prescribed forms.

### 1.2 Document ownership

<b>Contact information</b>	
Document owner	Khotso Molete Designation: Deputy Information Officer Contact number: 012 338 2000 E-mail address: <a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>
Responsible person/s	Ettienne Myburgh Designation: Chief Executive Officer/ Chief Information Officer Contact number: 012 338 2000 E-mail address: <a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>
	Khotso Molete Designation: Deputy Information Officer Contact number: 012 338 2000 E-mail address: <a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>

### 1.3 Document review

This document is formally reviewed on an annual basis to ensure it adheres to current regulations and requirements. The annual sign-off will be required by the end of the financial year (31<sup>st</sup> of December). If a significant regulatory requirement would however be published and effected anytime during the year, the changes may be updated immediately and signed-off on.

### 1.4 Availability

The latest version of the document will be made available-

- on the Company website: [www.transfin.co.za](http://www.transfin.co.za);
- at head office of Transparent Financial Services (Pty) Ltd for public inspection during normal business hours;
- to any person upon request and upon the payment of a reasonable prescribed fee (if applicable); and



- to the Information Regulator upon request.

A fee for a copy of the Manual, as contemplated in annexure B of the PAIA Regulations, shall be payable per each A4 -size photocopy made.

### 1.5 Document approval

<b>Issued by:</b>				
<i>Ettienne Myburgh</i>	Ettienne Myburgh	Chief Executive Officer	2.0	2021/12/02
<i>Signature</i>	<i>Name</i>	<i>Role</i>	<i>Version</i>	<i>Date</i>



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## 2. LIST OF ACRONYMS AND ABBREVIATIONS

- |                  |  |
|------------------|--|
| 1.1. “CEO”       | Chief Executive Officer  |
| 1.2. “DIO”       | Deputy Information Officer;  |
| 1.3. “IO”        | Information Officer;   |
| 1.4. “Minister”  | Minister of Justice and Correctional Services;   |
| 1.5. “PAIA”      | Promotion of Access to Information Act No. 2 of 2000 (as Amended);   |
| 1.6. “POPIA”     | Protection of Personal Information Act No. 4 of 2013;  |
| 1.7. “Regulator” | Information Regulator; and   |
| 1.8. “Republic”  | Republic of South Africa   |
| 1.9. “TFS”       | Transparent Financial Services (Pty) Ltd - inclusive of its subsidiary companies:<br>Transparent Consulting Services (Pty) Ltd and Transparent Administration<br>Services (Pty) Ltd. |
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## 3. INTRODUCTION

The purpose of the Promotion of Access to Information Act 2 of 2000 (often referred to as “PAIA”) is to give effect to section 32 of the Constitution. The Protection of Personal Information Act 4 of 2013 (hereinafter referred to as ‘POPIA’) was enacted to give right to the Constitutional right to privacy and to promote the protection of personal information processed by public and privacy bodies.

Transparent Financial Services (TFS) is required to compile a manual in accordance with both section 51 of PAIA and section 23 of the POPI which includes descriptions of the types of records held in its possession, and thereafter make a copy of this manual available to the public for the purposes of giving effect to the above-mentioned rights and to promote a culture of transparency, accountability, and good governance.

Although TFS has gone through extreme lengths to make this Manual as complete and all-encompassing as possible it is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in PAIA. Requesters are advised to familiarise themselves with the provisions of PAIA, the PAIA Guide and POPIA before making any requests to TFS in terms of these Acts. However, in terms of PAIA and POPIA Regulations TFS will provide such assistance, to parties applying for access to information or personal information, as is required to complete the necessary forms.

TFS makes no representation and gives no undertaking or warranty that the information in this Manual or any information provided by it to a requester is complete or accurate, or that such information is fit for any purpose. All users of any such information use such information entirely at their own risk, and TFS will not be liable for any loss, expense, liability, or claims, howsoever arising, resulting from the use of this Manual or of any information provided by TFS or from any error contained herein.

## 4. TRANSPARENT FINANCIAL SERVICES (PTY) LTD

Transparent Financial Services (TFS) is a private body company registered under the Companies Act 71 of 2008 and it was formed in 2006 when it acquired the retirement fund administration business from the South African Typographical Union (SATU).

TFS is a licensed S13B Retirement Fund Administrator providing benefit fund administration services to retirement and other benefit funds.



The company is also registered as a Financial Service Provider in terms of the FAIS Act and has several agreements in place with major financial institutions to render co-administration services.

TFS, through its subsidiary companies, provides insurance solutions in the short term and life insurance space. In addition, our expertise have allowed us to expand into the administration of medical aid and medical gap insurance products alike.

## 5. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to-

- 4.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 4.2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 4.3. know the description of the records of the body which are available in accordance with any other legislation;
- 4.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 4.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 4.6. know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 4.8. know the recipients or categories of recipients to whom the personal information may be supplied;
- 4.9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 4.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

The manual also demonstrates the Company's commitment to promoting the lawful access to information.

## 6. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF TRANSPARENT FINANCIAL SERVICES (PTY) LTD.

The Chief Executive Officer of TFS, Etienne Myburgh, is the designated Chief Information Officer. His contact details are as follows:

<b>NAME:</b>	Mr. Etienne Myburgh
<b>DIVISION:</b>	Executive
<b>TELEPHONE NUMBER:</b>	012 338 2000
<b>E-MAIL ADDRESS:</b>	<a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>

The Chief Information Officer has, in terms of section 56 of POPIA, delegated his powers under POPIA to the following Deputy Information Officer:



<b>NAME:</b>	Mr. Khotso Molete
<b>DIVISION:</b>	Legal & Compliance
<b>TELEPHONE NUMBER:</b>	012 338 2000
<b>E-MAIL ADDRESS:</b>	<a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>

Access to information general contacts:

<b>E-MAIL ADDRESS:</b>	<a href="mailto:InfoOffice@transfin.co.za">InfoOffice@transfin.co.za</a>
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The contact details of the TFS Head Office are:

<b>PHYSICAL ADDRESS</b>	<b>POSTAL ADDRESS</b>
4 Estcourt Avenue Wierdapark Centurion 0157	PO Box 12722 The Tramshed Pretoria 0126

The general email address of TFS is: [transfin@transfin.co.za](mailto:transfin@transfin.co.za)

The website of TFS is: <https://www.transfin.co.za/>

## **7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 7.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 7.2. The Guide is available in each of the official languages and in braille.
- 7.3. The aforesaid Guide contains the description of-
- 7.3.1. the objects of PAIA and POPIA;
  - 7.3.2. the postal and street address, phone, and fax number and, if available, electronic mail address of-
    - 7.3.2.1. the Information Officer of every private body, and
    - 7.3.2.2. every Deputy Information Officer of every private body designated in terms of section 56 of POPIA;
  - 7.3.3. the manner and form of a request for-
    - 7.3.3.1. access to a record of a private body contemplated in section 50;
  - 7.3.4. the assistance available from the IO of both a public and private body in terms of PAIA and POPIA;
  - 7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
    - 7.3.6.1. a complaint to the Regulator; and



- 7.3.6.2. an application with a court against a decision by the Regulator or a decision of the head of a private body;
  - 7.3.7. the provisions of section 51 requiring a private body, respectively, to compile a manual, and how to obtain access to a manual;
  - 7.3.8. the provisions of section 52 providing for the voluntary disclosure of categories of records by a private body, respectively;
  - 7.3.9. the notices issued in terms of section 54 regarding fees to be paid in relation to requests for access; and
  - 7.3.10. the regulations made in terms of section 92.
- 7.4. Members of the public can inspect or make copies of the Guide from the offices of the private bodies, including the office of the Regulator, during normal working hours.
- 7.5. The Guide can also be obtained-
- 7.5.1. upon request to the Information Officer (see Annexures – Form 1);
  - 7.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 7.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 7.6.1. English and
  - 7.6.2. Afrikaans.

**8. CATEGORIES OF TFS RECORDS WHICH ARE AVAILABLE WITHOUT HAVING TO REQUEST ACCESS**

As stipulated by PAIA, Transparent Financial Services may on a voluntary and periodic basis, submit to the Minister a description of categories of records, which are automatically available without a person having to request access in terms of the Act. The Minister must publish any description so submitted by way of a notice in the Gazette.

Transparent Financial Services has not submitted any such description to the Minister for publication in the Gazette. However certain records are freely available on the company website at [www.transfin.co.za](http://www.transfin.co.za), alternatively you may submit a request or a query to [InfoOffice@transfin.co.za](mailto:InfoOffice@transfin.co.za).

**9. DESCRIPTION OF TFS RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH LEGISLATION**

All records kept and made available in terms of legislation are available in accordance with the applicable legislation, which includes the following:

Administration of Estates Act, 66 of 1965	Insolvency Act, 24 of 1936
Basic Conditions of Employment Act, 75 of 1997	Labour Relations Act, 66 of 1995 (LRA)
Broad-Based Black Economic Empowerment Act, 53 of 2003	National Credit Act, 34 of 2005
Civil Union Act, 17 of 2006	Occupational Health and Safety Act, 85 of 1993 (OHSA)
Collective Investment Schemes Control Act, 45 of 2002	Pension Funds Act No. 24 of 1956 (PFA) and related PF Circulars
Collective Investment Schemes Control Act, 45 of 2002	Prevention of Organised Crime, 1998 (POCA)
Companies Act, 71 of 2008	Promotion of Access to Information Act, 2 of 2000 (PAIA)





Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 (COIDA)	Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000
Compensation for Occupational Injuries and Diseases Act, 130 of 1993	Protected Disclosures Act, 26 of 2000
Constitution of the Republic of South Africa, 1996	Protection from Harassment Act, 2011
Consumer Protection Act, 68 of 2008	Protection of Personal Information Act, 4 of 2013
Copyright Act, 98 of 1978	Protection of Personal Information Act Regulations
Divorce Act, 70 of 1979	Regulation of Interception of Communication and Provision of Communication
Electronic Communications and Transactions Act No. 25 of 2002 and Regulations thereto	Medical Schemes Act 131 of 1998
EBF Fund Rules	Securities Services Act, 36 of 2004
Employment Equity Act, 55 of 1998	Skills Development Act, 97 of 1998
SATU Fund Rules	Skills Development Levies Act No. 9 of 1999 (SDLA)
Exchange Control Circulars	STRATE Rules
Financial Advisory and Intermediary Services Act, 52 of 2001 (FAIS)	The Prevention and Combating of Corrupt Activities Act, 12 of 2004
Financial Institutions (Protection of Funds) Act, 28 of 2001	The Regulation of Interception of Communications and Provision of Communication- Related Information Act, 70 of 2002 (RICA) and the Regulations thereto
Maintenance Act, 99 of 1998 (MA)	The Securities Transfer Act No. 25 of 2007
Financial Intelligence Centre Act, 38 of 2001	The Securities Transfer Tax Administration Act No. 26 of 2007
Financial Markets Act, 19 of 2012	The Transfer Duty Act No. 40 of 1949
Financial Sector Code	Tobacco Products Control Act No. 83 of 1993
Friendly Societies Act, 1956	Trademarks Act, 194 of 1993
Governance Principles for South Africa (King IV)	Unemployment Insurance Act No. 63 of 2001
Income Tax Act, 58 of 1962	Unemployment Insurance Contributions Act No. 4 of 2002
Information and Communication Technology Sector Code	Value Added Tax Act, 89 of 1991

A requester will be required to submit a specific and detailed query regarding the document you seek in relation to the above listed legislation to enable TFS to declare whether the information sought is readily available or not and whether you are required to submit a formal request for the record.

## 10. DESCRIPTION OF DATA CATEGORIES THAT TFS HOLDS RECORDS ON

The below non-exhaustive tables contain a description of the subjects that TFS holds records, and categories of records on each subject:

ADMINISTRATION INFORMATION	
Company registration details	Appointment of directors/auditor/secretary/public officer and other officer records
Memorandum of Incorporation	Share register
Minutes of Board of Directors Meetings	Other statutory registers

FINANCIAL RECORDS	
Annual Financial Statements	Banking records
Tax returns	Asset register
Accounting records	Invoices

TAXATION RECORDS	
Documents issued to employees for income tax purposes	All other statutory compliances:



Records of payments made to SARS	<ul style="list-style-type: none"><li>• Value Added Tax</li><li>• Skills Development Levies</li><li>• Unemployment Insurance Fund</li><li>• Pay As You Earn</li><li>• Income Tax Returns</li></ul>
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STAFF RELATED RECORDS	
Employment records	Disciplinary records
Terms and conditions of employment	Salary records
Employment equity plan	SETA/Training records
Medical aid records	Leave records
Retirement fund records	Employee records, incl. contact details, address list, next of kin etc.
Employee banking details	Employee tax and financial information
Employee vehicle registration (where applicable)	Payroll records
Employee correspondence and emails	Electronic access records
Surveillance records	

CLIENT/MEMBER RECORDS	
Contact information	Account information (including personal information, banking details and tax information)
Product subscriptions	General communication
Contractual agreements	Claim and withdrawal details
Housing loan details	Disability information (where applicable)
Medical information (where applicable)	Children/Beneficiaries of Members: personal information (where applicable)
Beneficiary information	

SUPPLIER RECORDS	
Contact information	Accounting information
Contractual agreements	General communication

## 11. PROCESSING OF PERSONAL INFORMATION

### 11.1 Purpose of Processing Personal Information

Transparent Financial Services (Pty) Ltd processes personal information for several purposes, including the following:

- i. Pension fund administration purposes;
- ii. Disability benefit administration purposes;
- iii. Employee benefit fund administration purposes;
- iv. Medical aid and insurance administration purposes;
- v. Funeral benefit administration purposes;
- vi. Pension backed home loan administration process;
- vii. Processing and maintaining member and beneficiary records;
- viii. Processing member and beneficiary claims and withdrawals;
- ix. Pension fund investment purposes;
- x. Detecting and preventing fraud, money laundering and theft;
- xi. Recovering debts;
- xii. Monitoring access, maintaining and securing the office premise;
- xiii. Transacting with suppliers and third parties, including the South African Typographical Union (SATU);
- xiv. Health and safety purposes;



- xv. Financial, administration and taxation purposes;
- xvi. Legal and contractual purposes; and,
- xvii. Recruitment purposes.

## 11.2 Description of the categories of Data Subjects and the information or categories of information relating thereto

CATEGORIES OF DATA SUBJECTS	PERSONAL INFORMATION PROCESSED
Trustees	Trustee personal information Trustee correspondence and emails
Members, Pensioners and Beneficiaries	Personal information Banking details Tax information Fund values Medical information and disability information (where applicable) Claim and withdrawal details Housing loan details Beneficiary information Correspondence and emails
Children of Members	Child's personal information (where applicable)
Suppliers	Supplier personal information Supplier contracts Supplier banking details Supplier VAT information Supplier proposals Personal information of supplier representatives
Employees	Employee personal information Employee medical information (where applicable) Employee disability information (where applicable) Employee banking details Employee tax and financial information Employment contract information Employee beneficiary information Employee vehicle registration Employee performance records Employee qualifications Payroll records Health and safety records Training records Employment history Employee correspondence and emails Surveillance records
Employee next-of-kin	Personal information
Children of employees	Child's personal information Child's medical information and disability information (where applicable)
Job applicants	Curriculum vitae and application forms Results of psychometric assessments (where applicable) Interview notes



	Results of criminal checks Results of background checks SAQA verification (where applicable)
Visitors to the premises	Surveillance records COVID register (name, surname, telephone number)

### 11.3 The recipients or categories of recipients to whom the personal information may be supplied

Personal information may be shared with third parties or the responsibility parties to which TFS is mandated as operators for the purposes mentioned under paragraph 11.1. Recipients of such personal information, where applicable, include:

- South African Typographical Union (SATU)
- Printing Industry Pension Fund for SATU Members
- SATU National Provident Fund
- Printing Industry Employee Benefit Fund
- Momentum
- Sizwe Medical Aid
- Medihelp
- Other service providers that process personal information on behalf of Transparent Financial Services.

Transparent Financial Services may share personal information with third parties and service providers when one or more of the following scenarios arise-

- i. Required in terms of legislation or a contract with a data subject;
- ii. For purposes of existing or future legal proceedings;
- iii. Required to provide services and benefits;
- iv. To manage personal information processed on behalf of data subjects;
- v. TFS has obtained consent from the data subject;
- vi. TFS has obtained consent from a competent person where the data subject is a child;
- vii. The recipient processes personal information on TFS's behalf;
- viii. Disclosure to government authorities when required by law;
- ix. Required to assist in the detection of fraud and money-laundering.

### 11.4 Planned transborder flows of personal information

TFS does not share personal information by means of transborder flows in its ordinary course of business. Should an anomaly arise, it will be ensured that one or more of the following conditions are met:

- i. The data subject has provided his/her consent; or
- ii. The third party's location is in a foreign country with adequate data protection legislation; or
- iii. The transfer is necessary for the performance of a contract.
- iv. Children's information may not be transferred trans-border without the written consent of the parent or guardian.

TFS will take steps to ensure that operators that process personal information in jurisdictions outside South Africa, apply adequate security safeguards.



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## 11.5 General description of Information Security Measures to be implemented by TFS to ensure the confidentiality, integrity, and availability of the information.

TFS takes all reasonable steps to protect the personal information of all data subjects. We've embraced and implemented PAIA and POPIA in the spirit it was intended. TFS is confident that this will create an opportunity to simplify, review and streamline our business operations, policies, and processes.

We understand that compliance demands identifying personal information and taking reasonable measures to protect the said data. By doing this we are convinced that compliance will reduce the risk of data breaches and that the spirit of openness will in turn increase member confidence in TFS and the applicable funds. The POPI Act was implemented keeping the interest of the individuals as the main consideration.

We have and will continue to implement reasonable technical and organisational security measures, and monitoring processes to protect personal information processed by us and our operators or third parties, to which the implementation thereof will be effected keeping the interest of the data subjects as the main consideration.

TFS understands its role as an operator, and collects, stores, and uses personal information to fulfil its obligations in terms of the Pension Funds Act and as per the terms of the service level agreements with the Funds and other customers. TFS has implemented strict confidentiality terms with its employees and restricts access to information thereby ensuring information is only accessed for official purposes.

TFS does however share certain information with 3rd parties, but only if required by law, in terms of a contractual arrangement or as instructed by the applicable responsible party (for example the distribution of information to a tracing agency). Information will, for example, be shared as and when required with the following entities: fund actuaries, financial institutions with which the Fund banks, or obtains surety through independent officers (Trustees or Principal Officer), etc.

To ensure there is central control TFS uses one secured administration system that contains the full personal information database, thereby limiting the risk by not duplicating the information in various sources. This allows TFS to take a holistic approach to unify systems, resources, and processes, addressing all at the one source (System i/AS400 system).

As one system is used for all static and personal information, it simplifies the compliance aspect as there is no need to update and control secondary systems and databases. This in turn reduces errors and increases quality, improves efficiency, and speeds up the process, all resulting in enhanced security and a better client service.

To ensure good governance of data privacy and protection, TFS implements up-to-date policies and procedures that guide all aspects relating to people, processes, and technologies toward compliance. Consideration, review, and revision of these policies are done on an ongoing basis.

## 12. REQUESTING ACCESS TO RECORDS

### 12.1 Access to Records and the Procedure to be followed

The requester may access the records held by TFS only once the prerequisite requirements have been met.

**Automatically available records do not require** a requester to submit a PAIA request (in other words, a person can just request it without completing Annexure, Form 2).

A person who requires information for the exercise or protection of any right/s may request information from a private body. In terms of section 50 of PAIA, a requester must be given access to any record of a private body if –

- i. that record is required for the exercise or protection of any rights.
  - ii. that person complies with the procedural requirements in PAIA relating to a request for access to that record;
- and



- iii. access to that record is not refused in terms of any ground for refusal contemplated in clause 12.5 (also Part 3, Chapter 4 of PAIA).

## 12.2 REQUESTING INFORMATION FROM TFS

Requests for information and access to records not readily available, may be made by contacting the Deputy Information Officer.

A 'requester' of information in relation to TFS means:

- Any person, including, but not limited to, a public body or an official thereof, making a request for access to a record held by TFS.
- A person (third party or agent) acting on behalf of another person.

A request for access to a record/personal information held by TFS must be made using the prescribed form (Annexure, Form 2).

After completion of the prescribed form, it must be addressed to the Deputy Information Officer using the contact details provided under clause 6.

The Information Officer/Deputy Information Officer will require sufficient details pertaining to the request to enable him/her to identify:

- The record(s) being requested.
- The requester's identity.
- The form of access required.
- The postal address/fax number/telephone number of the requester in the Republic of South Africa.
- The right that the requester is seeking to exercise/protect along with an explanation of why requested record/information is required for the exercise/protection of that right.

If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of TFS.

TFS will within 30 days after the request has been received or after the requisite particulars have been obtained-

- Decide in accordance with PAIA whether to grant the request; and
- Notify the requester of the decision in the manner that he/she has elected if it is reasonably possible.

If the request for access is granted the notice will state:

- The request and/or the access fee (if any) to be paid prior to further processing the request (unless the requested information is made freely available). The Deputy Information Officer will advise you on whether you are required to pay any fee.
- The manner in which access will be granted; and
- That the requester may lodge an application with the court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging the application.

Should TFS fail to respond accordingly to a request within the prescribed timeframe the failure will be regarded as a 'deemed refusal'. Request for access to records is deemed to be a refusal after the expiry of 30 days or any extended period and the private body fails to respond.



If all reasonable steps have been taken to find a record and there are reasonable grounds to believe that the record is in the possession of TFS but either can't be found or does not exist, TFS will by affidavit or affirmation notify the requester that it is not possible to give access to that record. However, if the record is later found, the requester must be given access if the request would otherwise be granted.

### 12.3 THIRD PARTY NOTIFICATIONS

TFS when considering a request of a record of a third party, will within 21 days after that request is received - inform the third party to whom or which the record relates to.

A third party may within 21 days after being so informed or obtaining knowledge thereof:

- a. Make written/oral representations to TFS why the request should be refused; or
- b. Give written consent for the disclosure of the record to the requester concerned.

TFS will within 30 days after the third party is informed:

- a. Decide, after giving due regard to any representations made by the third party, whether to grant the request for access.
- b. Notify the third party of the decision taken and their right to appeal by way of application to the court within 30 days of the notice.

If TFS decides to grant the request for access, it will give the requester access to the record concerned after the expiry of the 30 days after the notice is given unless an application with a court is lodged against the decision within that period.

### 12.4 EXTENSION OF THE PERIOD TO DEAL WITH A REQUEST

TFS may extend the prescribed period of 30 days for a further period not exceeding a single 30-day extension if:

- i. the request is for a large number of records or requires that a large number of records are searched, and, without an extension, this search would interfere with the normal activities of the body concerned;
- ii. the request requires a search through records in an office of that body not situated in the same city or town and could thus not be completed within the 30 days; and/or
- iii. it requires a level of consultation to act on the request, which cannot reasonably be completed within just 30 days.

The requester will be notified of the Information Officers intention to extend the initial prescribed period, and indicate the period of extension, the reason for the extension, and notify the requester of his or her or its right to -

- Appeal to the relevant authority;
- Complain to the Regulator; or
- Launch proceedings in court against the extension as the case may be.

### 12.5 GROUNDS FOR REFUSAL TO ACCESS A RECORD AND THE RIGHT TO CHALLENGE THE DECISION

In terms of PAIA, requests may or must be refused based on the following grounds:

- **Mandatory Grounds of Refusal** - the Information Officer or Deputy Information Officer must refuse the request.



- **Discretionary Grounds of Refusal** - With discretionary grounds, an Information Officer or Deputy Information Officer may consider whether or not to refuse a request.

Item	Mandatory Grounds of Refusal	Discretionary Grounds of Refusal
1.	Mandatory protection of privacy of a third party who is a natural person.	South Africa's defence, security, and international relations.
2.	Mandatory protection of certain records of the South African Revenue Service.	Economic, financial, and commercial interests.
3.	Mandatory protection of commercial information of a third party.	Manifestly frivolous or vexatious requests.
4.	Mandatory protection of certain confidential information, and protection of certain other confidential information, of a third party.	
5.	Mandatory protection of the safety of individuals, and protection of property.	
6.	Mandatory protection of records privileged from production in legal proceedings.	
7.	Mandatory protection of research information of a third party, and protection of research information of public or private body.	

*\*If only part of the record is linked to an exemption ground, the Information Officer or Deputy Information Officer is under an obligation to consider whether partial disclosure of information is possible whenever they determine that full disclosure is not possible and they should take reasonable steps to sever or redact that part that cannot be released to the requester and grant access to the rest of the record.*

In terms of PAIA a requester of information reserves the right to challenge the decision made by TFS:

- TFS, as a private body, has no internal appeal procedure in place against the decisions made by it concerning the access to information.
- A requester – aggrieved by the decision of the IO/DIO concerning the fees required, the extension period, form of access or refusal of access may by way of application, within 180 days of being notified of the decision, apply to the High Court for appropriate relief.

A third party - aggrieved by the decision of the IO/DIO concerning a request for access to a record of TFS may by way of application, within 180 days of being notified of the decision, apply to the Magistrates Court for appropriate relief.

### 13. FEES

Unless the requested information is made freely available, PAIA sets out two types of fees –

- a request fee, and
- an access fee, that are required to be paid prior to processing the request for access to information.

You may be required to pay the either one, or both, of the fees to which the Deputy Information Officer will advise you on.

A **request fee of R140.00** is payable up front where a requester submits a request (the requirement to pay the request fee is subject to the Information Officers discretion).

A **personal requester**, that is a requester who requests access to a record containing personal information about





him/herself, is **not required** to pay either request fee or the access fee. Any other requester will be required to pay the applicable fees.

The access fees payable for the reproduction of a record as referred to in Annexure B of Regulations relating to the Promotion of Access to Information, 2021 are as follows:

Item	Description	Amount
1.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
2.	Printed copy of A4-size page	R2.00 per page or part thereof
3.	A copy in a computer-readable form on: <ul style="list-style-type: none"><li>• flash drive (to be provided by the requester)</li></ul>	R40.00
4.	Transcription of visual images, per A4-size page or part thereof	Will depend on quotation from service provider.
5.	A copy of visual images	
6.	Transcription of an audio record, for an A4-size page or part thereof	R24.00 – if it's possible to transcribe internally, otherwise it will depend on the quotation from the service provider.
7.	A copy of an audio record <ul style="list-style-type: none"><li>• flash drive (to be provided by the requester)</li></ul>	R40.00
8.	To search for and prepare the record for disclosure for each hour or part thereof, excluding the first hour, reasonably required for such a search and preparation.	R145.00
	To not exceed a total cost of:	R435.00
9.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 1 to 7.
10.	Postage, email, or any other electronic transfer	Actual expenses, if any.

The head of the company or the deputy information officer to whom the request for access is made will by notice require the requester, other than a personal requester, to pay the prescribed request fee before further processing the request.

If the search for the record, other than a personal requester, has been made and the preparation of the record of disclosure would in the opinion of the Information Officer exceed the prescribed six hours - a deposit is payable equal to one third of amount per request calculated in terms of items 1 to 7.



# ANNEXURES



**FORM 1**

**REQUEST FOR A COPY OF THE INFORMATION REGULATORS GUIDE**

[Regulations 3]

**TO:** The Information Officer  
Transparent Financial Services (Pty) Ltd  
Legal and Compliance  
PO Box 12722  
The Tramshed  
Pretoria  
0126 (Postal Address)

E-mail address: [InfoOffice@transfin.co.za](mailto:InfoOffice@transfin.co.za)

I,

Full names:			
In my capacity as (mark with "x"):	Information officer:		Other (please indicate the capacity):
Name of private body (if applicable)			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact numbers:	Tel.(B):		Cellular:

Hereby request the following copy(ies) of the Guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
Sepedi		Sesotho	
Setswana		siSwati	
Tshivenda		Xitsonga	
Afrikaans		English	
isiNdebele		isiXhosa	
isiZulu			

Manner of collection (mark with "x"):

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of requester



**FORM 2**

**REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

*(see para 14 of the Guide)*

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer  
Transparent Financial Services (Pty) Ltd  
Legal and Compliance  
PO Box 12722  
The Tramshed  
Pretoria  
0126 (Postal Address)

E-mail address: [InfoOffice@transfin.co.za](mailto:InfoOffice@transfin.co.za)

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity Number			
Postal Address			



Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b> <i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			
<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>			



Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack or voice-recording <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of the private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>THE RIGHT TO BE EXERCISED OR PROTECTED</b> <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages. (see para 11.3 of the Guide)</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the	



exercise or protection of the right:	
--------------------------------------	--

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason for fee exemption:	

You will be notified in writing whether your request has been approved or denied, and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

-----  
**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature  
Of Information Officer.**